

In The Matter Of:
*BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION*

June 14, 2018

*Sharon Hill Court Reporting
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Bryant, AR 72022
(501) 680-0888*

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION

June 14, 2018
10:30 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

Mr. Johnny Key	Commissioner/Non-Voting
Dr. Jay Barth	Chairman
Mr. Joe Black	Vice Chairman
Ms. Mireya Reith	Board Member
Ms. Diane Zook	Board Member
Ms. Susan Chambers	Board Member
Ms. Ouida Newton	Board Member
Dr. Fitzgerald Hill	Board Member
Ms. Courtney Cochran	Teacher of the Year/ Non-Voting Member

ADE LEGAL COUNSEL:

Ms. Lori Freno	ADE General Counsel
Ms. Courtney Salas-Ford	ADE Deputy General Counsel
Ms. Jennifer Dedman	ADE Attorney Supervisor
Ms. Jennifer Davis	ADE Staff Attorney
Ms. Mary Claire Hyatt	ADE Attorney

ALSO PRESENT:

Ms. Kelicia Hollis	ADE Administrative Analyst
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LOCATION:

Arkansas Department of Education
#1 Capitol Mall - Auditorium
Little Rock, AR

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1 P R O C E E D I N G S

2 A-1: CONSIDERATION OF ARKANSAS BETTER CHANCE 2018-2019 RENEWAL
3 GRANTS AND CONTRACTS

4 CHAIRMAN BARTH: The first three action items
5 are Arkansas Better Chance items, and of course Ms.
6 McKinney is here.

7 MS. MCKINNEY: The first agenda that I have --
8 or first action item I have is the Consideration of
9 the Arkansas Better Chance Renewal Grant
10 Applications. This is something that we present to
11 the Board each year for the upcoming school year.
12 This does not include all of them because there were
13 approximately 10 to 15 programs that we're working
14 with in regards to their audit, and until we get that
15 cleared then we are trying to -- we will be bringing
16 another group in July.

17 CHAIRMAN BARTH: Okay. We see items like this
18 regularly. Are there any questions?

19 MS. ZOOK: I do have a question --

20 CHAIRMAN BARTH: Ms. Zook.

21 MS. ZOOK: Oh, excuse me. I do have a question
22 about the Little Rock School District. Was there a
23 time in the Little Rock School District when students
24 who didn't meet the -- I think there's like eight or
25 nine points of criteria for attending -- when the

1 student was able to attend who did not meet all of
2 that criteria -- or, I mean, at least one of that
3 criteria? Because I have, let's see, two great-
4 nieces and a great-nephew, several who did -- would
5 not have met the poverty, so -- but they went to pre-
6 K in the Little Rock School District. So is that
7 still available for everyone or is it just available
8 for those who meet one of the criteria?

9 MS. McKINNEY: It's my understanding that there
10 are a number of programs across the state, of which
11 Little Rock is one of those, where they allow non-ABC
12 eligible children to attend.

13 MS. ZOOK: Okay.

14 MS. McKINNEY: And it really depends on the
15 capacity of the facilities that they have available.

16 MS. ZOOK: Right.

17 MS. McKINNEY: And they use other funding
18 resources to assist with that effort.

19 MS. ZOOK: Okay.

20 MS. McKINNEY: They do not access ABC funds for
21 the non-ABC children.

22 MS. ZOOK: Okay. So it has -- if it's not an
23 ABC slot it doesn't have to meet one of the criteria?

24 MS. McKINNEY: That's correct. Now they do
25 integrate the children all together.

1 MS. ZOOK: Sure.

2 MS. McKINNEY: So it's mixed classrooms, which
3 is nice because you do not know where they fit.

4 MS. ZOOK: Right.

5 MS. McKINNEY: I mean, funding is irrelevant.

6 MS. ZOOK: Right. Right. And I know y'all must
7 be pleased to find out that we're, what, eighteenth
8 in the nation in the quality and the number of pre-K?

9 MS. McKINNEY: Yes.

10 MS. ZOOK: And all the children who are below
11 the poverty line there's a slot for them. So a lot
12 of really good things going on with pre-K and we
13 enjoy being a partner with DHS.

14 MS. McKINNEY: Well, I appreciate that so very
15 much. And I just have to brag because I found --
16 what I was talking to the grandmother about when
17 Akire was up here talking about her book I was
18 asking, "Was she in pre-K?" And she was actually,
19 and more than likely it was an ABC child. So that's
20 exciting to see. I mean, I'd like to say she had a
21 first good start, because that was incredible.

22 MS. ZOOK: Okay. And also you know the numbers
23 and you see them and read the paper just like we do
24 on the number of third graders who are not reading.
25 And we've had pre-K -- like over a billion dollars in

1 the last decade spent on pre-K. We are addressing
2 the needs of every child whose parents will allow
3 them to go that meet the criteria. So do you all
4 have any theories or investigations or research that
5 you're doing to find out is it the quality of the
6 pre-K program, is it the lack of alignment with
7 kindergarten, is it a K-2 problem, or all of the
8 above?

9 MS. McKINNEY: I think we have good alignment
10 with the kindergarten --

11 MS. ZOOK: Okay.

12 MS. McKINNEY: -- because when we revised our
13 early childhood standards we made sure that there was
14 a link of Department of Ed. representation and people
15 that work in Public Ed. to be a part of that
16 discussion. So I feel real strong that the link is
17 there on the standards. I think that a number of
18 children that come from low-income families enter our
19 pre-K services at a disadvantage --

20 MS. ZOOK: Right.

21 MS. McKINNEY: -- and it takes a lot of effort,
22 energy and constant work. It's not only about the
23 child, but it's about the parent too.

24 MS. ZOOK: Right.

25 MS. McKINNEY: And the unfortunate thing is not

1 having as many, probably, resources to try to focus
2 on the parents. So -- excuse me.

3 (COURT REPORTER'S NOTE: Ms. McKinney took a
4 drink of water.)

5 MS. ZOOK: I understand that.

6 MS. MCKINNEY: But I think that there's been a
7 lot of effort made to try to address the needs for
8 the parents. We're seeing more children coming in
9 with social/emotional issues and very challenging
10 behaviors. And I think the effort of trying to focus
11 on the mental health piece of this is very pertinent
12 to your question.

13 MS. ZOOK: Right. I know the research that is
14 often quoted as a generalized acceptance, but in fact
15 it was a very small piece of research. They did in
16 fact have wraparound service; they did have whole
17 child; they did do home visits; they did have parents
18 involved, and those were the ones that got the
19 numbers that people like to quote. But in places
20 where that type of wraparound, that type of
21 involvement, that type of almost taking those 20 kids
22 as a part of your life for an entire year, and the
23 community doing their share too, the -- a lot of
24 what's quoted is not in fact going to happen just
25 from having a child in pre-K who really comes without

1 the language and comes without the support and may be
2 hungry and mental health problems, not so much
3 sometimes of the child but of the family.

4 So I do appreciate the work y'all are doing and
5 I'm thrilled that Arkansas is in the top third in the
6 nation in one of these areas. That's great.

7 MS. MCKINNEY: Thank you.

8 CHAIRMAN BARTH: All right. I'd entertain a
9 motion to approve this set of grants.

10 MS. ZOOK: So moved.

11 MS. REITH: Second.

12 CHAIRMAN BARTH: Motion by Ms. Zook, second by
13 Ms. Reith.

14 All in favor say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Opposed?

17 All right.

18 The second item is the funding targeting foster
19 care.

20 MS. MCKINNEY: May we reflect back to that first
21 item?

22 CHAIRMAN BARTH: Uh-huh.

23 MS. MCKINNEY: I should have pointed out on the
24 very last page of the renewal grants is a list of the
25 contracts that we also fund through the ABC funding

1 and I included it as part of the renewal. And these
2 are programs or services that assist to do the
3 training for staff across the state and in some cases
4 provide assistance to the teachers on dealing with
5 mental health or social or emotional issues, and it's
6 a variety of different contracts that we work with.
7 And I should have pointed that out, so I apologize
8 for that.

9 CHAIRMAN BARTH: Okay. Do we need to approve
10 that separately or --

11 MS. MCKINNEY: That would be nice.

12 CHAIRMAN BARTH: Okay. So we just in our
13 previous vote approved the 95-plus million in
14 placements for students, but these are the contracts
15 for those entities that are a part of the support in
16 professional development.

17 MS. ZOOK: And who trains the people who do the
18 training?

19 MS. MCKINNEY: We work with the -- like with the
20 University of Arkansas. It's with the Early
21 Childhood group that does -- that provides the
22 teacher training and teacher education; same thing
23 with Arkansas State University. And we have an
24 arrangement with UAMS with various -- like we work
25 with the psychiatry part at UAMS on helping us with

1 social/emotional and providing training and
2 strategies to teachers on how to deal with children
3 of challenging behavior. I mean, there are -- like
4 on the -- UAMS also works -- the TIPS is parenting
5 strategies for programs to take, how to interact and
6 involve the parent in the education of their
7 children. So, each one of these have various
8 professionals that have been well-trained to deal
9 with the matter. I know that many of these are up
10 for re-evaluation and we are in the process of
11 assessing before we put it out for a new bid for
12 procurement that we take into account other needs
13 that are -- that we need to make sure the training
14 that's being provided is truly hitting what we need.

15 MS. ZOOK: Good quality.

16 CHAIRMAN BARTH: Any other questions?

17 All right. I'd entertain a motion on the
18 contracts.

19 MS. CHAMBERS: I move to approve.

20 MS. REITH: Second.

21 CHAIRMAN BARTH: Motion by Ms. Chambers, second
22 by Ms. Reith.

23 All in favor say "aye."

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN BARTH: Opposed, same sign.

1 Okay. Thank you.

2 A-2: PROVISION OF ARKANSAS BETTER CHANCE (ABC) 2017-2018
3 FUNDING TARGETING FOSTER CARE

4 CHAIRMAN BARTH: Now we'll move down to Item 2
5 which is the foster care grants.

6 MS. MCKINNEY: Yes. When I came earlier in the
7 year I presented the details that ABC -- we -- like
8 the renewal grants that you just approved for next
9 year, within their funded numbers they know that
10 accepting children that come to their door in foster
11 care they would be a priority to serve. But we have
12 children throughout the year that come to us, and I
13 brought that to you and said that we would like to
14 allow additional funding to provide for that 21st
15 child in a classroom, as long as that classroom could
16 support it, so that our foster care children
17 throughout the year as they experience that shifting
18 from their home into another location that they could
19 receive the necessary quality services. And so we
20 have -- the list that I have provided to you are the
21 additional children that we need to get approval to
22 allow for the funding over and beyond their approved
23 amount. And so we -- through the year there were
24 about 268 children that were served in foster care
25 and ABC, and then we had an additional 32 children

1 throughout the year after I received that approval
2 that were able to service that 21st child.

3 CHAIRMAN BARTH: Okay. Any questions?

4 Ms. Newton.

5 MS. NEWTON: I don't have a question; I just
6 have a comment. I want to commend you and thank you
7 for this because I can tell you that this makes a
8 difference in the lives of these children, it makes a
9 difference in the lives of the families, that during
10 that -- at that first difficult transition time this
11 is something that those foster families don't have to
12 worry about how to get a child in a quality pre-K.
13 And thank you for doing this and it is something that
14 is a tremendous help to those families and especially
15 to those children.

16 MS. MCKINNEY: Thank you.

17 CHAIRMAN BARTH: Great. Thanks.

18 Is that a motion?

19 MS. NEWTON: Yes, absolutely.

20 CHAIRMAN BARTH: All right.

21 MS. ZOOK: Second.

22 CHAIRMAN BARTH: All right. Motion by Ms.
23 Newton, second by Ms. Zook.

24 All in favor say "aye."

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRMAN BARTH: Opposed, same sign.

2 Okay.

3 A-3: CONSIDERATION OF REMAINING ARKANSAS BETTER CHANCE FUNDING

4 CHAIRMAN BARTH: And then, finally, the third
5 item is the remaining funding from this year.

6 MS. MCKINNEY: At the end of the year, or after
7 all the payments for the children have been sent out
8 to the programs, we look at those programs who may
9 not have accessed all their funding. And when I say
10 that, we have some programs who have some children on
11 a sliding fee scale, which means that money remaining
12 is funding that is left over that we can look at
13 diverting or redirecting to another cause. So
14 between that -- and then we also have programs that
15 we'll say we're unable to fulfill our enrollment of
16 100 and we're -- we need to reduce by 10, so then we
17 have relinquished slots that we have funding
18 remaining also. So, in essence, it ends up being
19 about 1% of the total ABC budget that we have
20 remaining.

21 So what I have presented to you, we have a
22 couple of things: one, on the chart I tried to show
23 you what their initial approved budget was; then I
24 listed those that we've added for the foster care
25 payment that you just approved. And if you will

1 recall, in April I came to you with a list of
2 teachers who met the minimum requirements, the
3 credentials, or those that were in training, and we
4 identified that there was a group of teachers that we
5 inadvertently left off. So we wanted to go back and
6 recognize them with the funding that was remaining.

7 And then I also brought to you as part of that
8 \$3 million package the idea about the innovation
9 grants. And we talked about that the innovation
10 grants covered literacy, the outdoor playground
11 setups, STEM, and then also social/emotional. And
12 there were programs that we were only able to
13 partially fund and so we thought that it would be
14 better to go ahead and increase their funding, still
15 not to the total amount that they asked for but to go
16 ahead and give them assistance to finish out their
17 project.

18 And so, in essence, this is a total approval of
19 \$765,436 that we're requesting approval to use or
20 redirect the funding from that that was remaining for
21 the unused funds that projects did not -- or programs
22 did not access to fund these other items.

23 CHAIRMAN BARTH: Any questions?

24 All right. I'd entertain a motion on this item.

25 MS. CHAMBERS: Move to approve.

1 MS. REITH: I move for approval.

2 CHAIRMAN BARTH: Motion by Ms. Chambers --

3 MS. REITH: Oh, sorry. Second.

4 CHAIRMAN BARTH: -- second by Ms. Reith.

5 All those in favor say "aye."

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN BARTH: Opposed, same sign.

8 Thank you, Ms. McKinney.

9 MS. MCKINNEY: Thank you. I do want to share
10 with you --

11 CHAIRMAN BARTH: We'll see you next month.

12 MS. MCKINNEY: -- that this will be my last
13 presentation to you. I too am going to retire, come
14 June 29th. And so I wanted to tell you it has been
15 an absolute honor to be a part of this for so long.
16 I worked here in 1991 when ABC was coming about. And
17 as I shared with Tonya, it's been an absolute
18 pleasure to close out my career with ABC since that's
19 where I kind of started.

20 CHAIRMAN BARTH: Right.

21 MS. MCKINNEY: So it's been just an absolute
22 godsend. So I appreciate all your assistance,
23 questions, as I look at Ms. Zook --

24 MS. ZOOK: I was going to say have you prepared
25 your replacement?

1 MS. McKINNEY: -- and I will miss your
2 questions. And I still hope that someday somehow I
3 will be involved in the process of early childhood,
4 because it's in my very core.

5 CHAIRMAN BARTH: Thank you.

6 MS. McKINNEY: So, thank you.

7 CHAIRMAN BARTH: Thank you for your service.

8 [APPLAUSE]

9 A-4: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
10 JASON BOLICK

11 CHAIRMAN BARTH: All right. We are now on to
12 Item 4 -- I'll turn it over to Ms. Blagg -- and this
13 is the Bolick case.

14 MS. BLAGG: Yes.

15 CHAIRMAN BARTH: And you should have received a
16 packet.

17 MS. BLAGG: Yes.

18 CHAIRMAN BARTH: Did everybody receive a packet?
19 Okay.

20 MS. BLAGG: Good afternoon. Simone Blagg,
21 attorney for Educator Effectiveness and Licensure.
22 I'm here today for you to consider the revocation of
23 the teaching license of Jason Wayne Bolick. This
24 waiver hearing was requested by Jason Bolick, an
25 educator who pled guilty to three disqualifying

1 offenses while holding a teaching license.

2 At this time I ask that if Mr. Bolick is present
3 that he step forward.

4 (COURT REPORTER'S NOTE: Mr. Jason Bolick stood
5 and approached the podium.)

6 MS. BLAGG: I ask that if he has any witnesses
7 that they be sworn in at this time, please.

8 CHAIRMAN BARTH: Great. If all of you who are
9 not attorneys please raise your right hand. Do you
10 swear or affirm the testimony you're about to give
11 shall be the truth, the whole truth and nothing but
12 the truth?

13 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

14 CHAIRMAN BARTH: Great. Thank you.
15 Proceed.

16 MS. BLAGG: Thank you. Would you like for me to
17 review the rules?

18 CHAIRMAN BARTH: Yes, please.

19 MS. BLAGG: Under the rules governing background
20 checks the Educator and the Department of Education
21 each have 5 minutes for an opening statement. Board
22 members may ask questions at any time. Each party
23 will be given 20 minutes to present their cases
24 beginning with the representative of the Department
25 of Education. The chairperson of the State Board may

1 for -- may only for good cause shown, and upon the
2 request of either party, allow either party
3 additional time to present their case. Each party
4 will have 5 minutes to make an opening statement.

5 To that end, I will proceed with an opening
6 statement with leave of the chairperson.

7 CHAIRMAN BARTH: All right. Great.

8 MS. BLAGG: Thank you.

9 CHAIRMAN BARTH: Mr. Bolick, you can have a seat
10 and we'll give you 5 minutes in just a minute.

11 MS. BLAGG: Mr. Jason Bolick is a licensed
12 educator. He holds a teaching license that expires
13 December 31, 2020. However, Arkansas law provides
14 that the State Board of Education shall revoke the
15 license of any person who has pled guilty to or been
16 found guilty of the enumerated offenses listed in
17 Arkansas Code Section 6-17-410. Educator Bolick pled
18 guilty to an enumerated disqualifying offense on June
19 21, 2017. The Department notified Educator Bolick of
20 the disqualification on February 26, 2018. On April
21 19, 2018, Educator Bolick requested a hearing.
22 During the course of the presentation of evidence I
23 will discuss the documents before you. And with
24 that, I yield the floor.

25 CHAIRMAN BARTH: Great. Mr. Bolick, you have up

1 to 5 minutes for opening and then we'll come back and
2 you'll have up to 20 minutes for the case itself.
3 So, this is just the opening presentation.

4 MR. BOLICK: Okay. Thank you. And, again, I
5 just want to thank everyone for this opportunity to
6 present my case. I'd like to get into detail about
7 my seven years of teaching, the details of what
8 happened and the crime that I committed, and how my
9 life has gone since then because it's been three
10 years since that happened. And so I'd like to just,
11 you know, give you a brief detail of everything that
12 has happened since. And then I'd also like to ask
13 that my license be just temporarily suspended and
14 reinstated upon completion of my felony probation, so
15 --

16 CHAIRMAN BARTH: All right. Great. And so
17 you're going to lay that out in your next section, is
18 that your plan?

19 MR. BOLICK: Yes, sir.

20 CHAIRMAN BARTH: Okay. All right. Great. So
21 you can have a seat and then we'll hear from the
22 Department and then you'll have up to 20 minutes for
23 you and your witnesses.

24 MR. BOLICK: Okay. Thank you.

25 CHAIRMAN BARTH: Uh-huh.

1 MS. BLAGG: Thank you.

2 Educator Bolick holds a standard teaching
3 license that expires December 31, 2020. This is
4 marked as Exhibit One (1) in your packet.

5 The Department of Education received information
6 from public records that Educator Bolick pled guilty
7 to one count of Possession of a Controlled Substance
8 with Purpose to Deliver, a Class C felony; one count
9 of Possession of a Controlled Substance, a Class D
10 felony; one count of Possession of Drug
11 Paraphernalia, a Class D felony; and delivery of a
12 Controlled Substance, a Class A misdemeanor, on June
13 21, 2017. If you'll turn to ADE Exhibit Two (2), you
14 will see the file-marked plea statement showing that
15 this document was filed on June 21, 2017, and it
16 identifies Educator Bolick as the defendant. On page
17 2 of that same document you'll see his signature.

18 The Department of Education's notice of the
19 disqualifying offense was sent to Educator Bolick,
20 and that is marked as ADE Exhibit Three (3).

21 Educator Bolick's request for a hearing and his
22 written statement are marked as ADE Exhibit Four (4).

23 And Educator Bolick was charged with
24 disqualifying offenses on October 20, 2015. The
25 charging document and probable cause affidavit are

1 marked as ADE Exhibits Five (5) and Six (6). I'll
2 give you a moment to review the probable cause
3 affidavit as Exhibit Six (6).

4 [A FEW MOMENTS OF SILENCE]

5 MS. BLAGG: Please note that the crime was
6 committed almost three years ago, in August of 2015.

7 On June 21, 2017, Educator Bolick was found
8 guilty and sentenced to the court [sic] to the
9 following -- of the following disqualifying offenses:
10 one count of Possession of a Schedule 6 Controlled
11 Substance with Purpose to Deliver, one count of
12 Possession of a Controlled Substance, and one count
13 of Possession of Drug Paraphernalia. The sentencing
14 order filed on July 10th is marked as ADE Exhibit
15 Seven (7), and in that it identifies Educator Bolick
16 as the defendant. The date of birth, redacted on
17 your copy, matches the date of birth that is in the
18 Department records.

19 Offense number one is the Class C felony where
20 he was sentenced to 48 months of probation. Offense
21 numbers three and four are both Class D felonies and
22 Educator Bolick was sentenced to 48 months probation
23 to run concurrently with these -- with offense number
24 one.

25 Educator Bolick voluntarily, intelligently, and

1 knowingly entered a negotiated plea of Guilty to all
2 three disqualifying offenses as they are felony
3 violations of the Uniform Controlled Substances Act.
4 Arkansas Code Section 6-17-410 provides that the
5 State Board of Education shall revoke the license of
6 any person who has pled guilty to or been found
7 guilty of an enumerated offense. The relevant
8 section of the statement is attached as ADE Exhibit
9 Eight (8) and Section (c)(13) of the statute
10 identifies felony violation of the Uniform Controlled
11 Substances Act as a disqualifying offense.

12 (WHEREUPON, ADE Exhibits One (1) through Eight
13 (8) were marked for identification and entered into
14 evidence.)

15 MS. BLAGG: That concludes my presentation. Are
16 there any questions?

17 CHAIRMAN BARTH: Is there a recommendation from
18 the Department?

19 MS. BLAGG: The Department recommends
20 revocation.

21 CHAIRMAN BARTH: Okay.

22 MS. ZOOK: I have a question as well.

23 CHAIRMAN BARTH: Okay.

24 MS. ZOOK: When the law says "shall" does that
25 mean we have a choice?

1 MS. BLAGG: You have the choice because you have
2 the ability to grant waivers and do what you would
3 like.

4 MS. ZOOK: Okay. I just knew that the one you
5 read said "shall," not "may."

6 MS. BLAGG: It's a "shall."

7 MS. ZOOK: Okay.

8 MS. BLAGG: It's a "shall," but it -- because
9 you have the waiver ability it's not a shall-shall.

10 MS. ZOOK: Okay.

11 DR. HILL: Is it standard for the recommendation
12 just to always revoke, then bring it to the Board --

13 MS. BLAGG: Yes.

14 DR. HILL: -- if they want to?

15 MS. BLAGG: Yes, that is our standard.

16 DR. HILL: Okay.

17 CHAIRMAN BARTH: All right. Great.

18 MS. BLAGG: Thank you.

19 CHAIRMAN BARTH: Mr. Bolick, up to 20 minutes
20 for you and any witnesses.

21 MR. BOLICK: Okay. Thank you. And thank you
22 again for hearing my case this morning.

23 First, I'd like to tell you about my background
24 as a teacher. I actually was a teacher and a coach
25 for seven years. I coached football, basketball,

1 soccer and tennis, and I've taught math, history,
2 keyboarding, career orientation, and I think that's
3 it. But I did have my certification and my middle
4 school endorsement which says that I could teach all
5 four core subjects 4th through 8th grade; I had my
6 pre-K through 12th grade PE and Health license and my
7 coaching endorsement and a career orientation
8 endorsement. Also I started my career at Mills High
9 School, for two years, and then I taught at Pine
10 Bluff, at Southeast Middle School for one year, and
11 then was in my fourth year at White Hall when my
12 crime was committed.

13 My mother, who is here today, is in her 32nd
14 year of teaching. Both of her parents, my
15 grandparents, are both retired teachers. I actually
16 just got married back in November to a teacher and
17 she teaches 8th grade English at Watson Chapel. So
18 anyway, I've got a long list of teachers in, you
19 know, in and out of my family.

20 So next I would like to get into what happened.
21 August will be three years since my arrest date. It
22 really started two years prior to my arrest date,
23 when I was in a bad car wreck and I got rear-ended in
24 Pine Bluff. The lawyer that I hired sent me to a
25 doctor in White Hall and this doctor prescribed me a

1 hydrocodone prescription medication and, you know, I
2 was prescribed an abundant amount for, you know,
3 several months. And, you know, by the time that I
4 was -- had resolved the case with my lawyer and, you
5 know, the lawyer wasn't needed and we settled on the
6 car accident, I physically was dependent upon this
7 medication. So moving forward a couple of years down
8 the road, which was about four to five months prior
9 to my arrest, in order to afford my pain pill
10 addiction I started to sell marijuana on the side
11 while I was teaching, and then it caught up with me
12 not very long. You know, I wasn't raised to be a
13 drug dealer; I mean, I, you know, I wasn't -- I
14 didn't grow up around that. It's just circumstances
15 that happened with the wreck and going down that path
16 of addiction led me to make a huge mistake. I let
17 down a lot of people in the community that depended
18 on me, my students, my athletes. So anyway, you
19 know, that happened; I got arrested.

20 The following three months I did inpatient rehab
21 in Michigan; I got clean. And I came back from rehab
22 and I moved to Conway to be closer to my daughter and
23 to get away from the Pine Bluff area that I was --
24 you know, knew a lot of people during my addiction.

25 So in order to get my rights to my daughter and

1 get things how they were I had to go to court. And
2 the Judge ordered me to take one drug test per week
3 in order to see her for four hours a weekend; I was
4 also ordered to take three NA classes a week and I
5 was ordered to see a counselor for an hour once a
6 week. And I complied with that for right at a year,
7 and back in October I was awarded, you know,
8 unsupervised normal visitation -- and actually
9 starting on Monday she gets to stay with me for the
10 entire summer after, you know, going eight months
11 without seeing her to seeing her for four hours a
12 weekend, and now full circle back to having her as
13 much as I had her before all this happened.

14 So I can tell you right now that my life has
15 changed drastically. I've been clean and sober for
16 three years. I know that, you know, my actions that
17 led to me being here today are very inexcusable.
18 And, you know, I just am here today to ask that, you
19 know, I get a second chance in education. That's my
20 passion.

21 You know, since this has happened I was actually
22 fortunate enough that Sylvan Hills Middle School
23 offered me a job and I taught math there for three
24 months. This was the school-year after I'd gotten
25 arrested, before I was convicted of anything. And

1 they -- you know, they let me teach there until one
2 of the students had I guess Googled my name and found
3 out about my past. And so anyway, that was, you
4 know, short-lived, but I was given that opportunity.
5 And since then I've done remodel work and now I'm a
6 machine operator at Arkansas Graphics downtown. And
7 so, you know, I've got -- you know, I've got options
8 and, you know, I'm a hard worker. And so, you know,
9 I'm going to do whatever it takes to, you know, have
10 a successful future and a successful career, whether
11 that's in education or not. I'm just here today to
12 ask for the opportunity to go back to education in
13 the future.

14 With the charge that I have, I agreed to the Act
15 346 which states that once I complete my probation my
16 charges will go away; they'll get sealed. And so,
17 you know, I was told that it would be like they never
18 happened. Now obviously, you know, people can use
19 Google and stuff nowadays, but, you know, in the eyes
20 of, you know, the law I will be completely rid of
21 any, you know, charges. So my probation can be
22 anywhere between two to four years if I complete all
23 my fines and all my community service, which I only
24 have 40 hours out of 120 hours of community service
25 left. [coughing] Excuse me. Then they can -- my

1 probation officer can recommend me being off
2 probation after two years instead of four.

3 So, let's see here. And I think that's -- yeah,
4 and so, you know, I'm here today to ask that my
5 license just be temporarily suspended and then, you
6 know, reinstated once I complete probation.

7 And I also did bring a character reference. The
8 woman and the husband that I worked for doing remodel
9 work, he's a principal at Julia Moore Elementary in
10 Conway and she is a speech pathologist, and they
11 wrote up a character reference that I printed off for
12 everyone. I'll give everyone a copy of that to look
13 over.

14 (WHEREUPON, Educator's Exhibit One (1) was
15 marked for identification and entered into evidence.)

16 MR. BOLICK: I'm not sure how I'm doing on time
17 but --

18 CHAIRMAN BARTH: I've got about 10 -- you've got
19 about 10 minutes.

20 MR. BOLICK: Okay. I'd like for one of my
21 parents to come and just speak on my behalf as a
22 witness, if that's okay.

23 CHAIRMAN BARTH: Perfect. Yes, sir.

24 MR. BOLICK: Okay.

25 CHAIRMAN BARTH: Just identify yourself for the

1 record.

2 MR. GLEN BOLICK: Yes. I'm Glen Bolick, I'm his
3 dad, and on behalf of my wife Melody and myself I
4 want to thank Commissioner Key, Chairman Barth,
5 commissioners of the Board.

6 You know, we're just middle class people that
7 you read about and hear about that had no idea what a
8 functioning addict was. Jason moved back home with
9 us to take a job in White Hall because he was going
10 to save money to buy a house. It was really because
11 he was broke; we didn't know that. He got up and
12 went to school every day; he traveled on a bus to
13 DeQueen, taking two soccer teams over there; he took
14 a team to the state tournament in Harrison. You
15 know, nobody knew any of this stuff. The people at
16 school didn't know. Nobody knew. It's just -- it's
17 amazing. We've learned things that we didn't know,
18 that we didn't necessarily want to know. But it's
19 amazing what opioid addiction, what a problem it is
20 out there and how easy it is to get caught up in that
21 and become that. And, I mean, I've known people
22 whose lives were ruined and lost their jobs, lost
23 their families, lost retirement. Fortunate for him,
24 he only had seven years of retirement to lose; he had
25 us to fall back to. You know, we're very proud that

1 going from a coach and a teacher who is an 8th grade
2 math teacher was honored as Teacher of the Month by
3 Channel 11, being nominated by his principal, to the
4 assistant superintendent coming to our house to
5 explain his options because of his arrest -- but then
6 he turns around and on his own found a rehabilitation
7 center, went away, came back, is taking care of
8 business.

9 So, you know, I submit to you that everyone
10 deserves a second chance, and he's sort of on his
11 second chance. He's going around to all the places
12 because of the same thing that happened to get a
13 second chance. We also went a year without seeing
14 our granddaughter because of him, and so it's
15 affected all of us. But, you know, again, I just
16 want to thank y'all for your time. Now that he's
17 returned to the person that he was back seven years
18 ago, during those years, it hasn't affected his
19 ability to be a good middle school math teacher and a
20 coach and a science teacher and all those things.
21 And we were led to believe that the whole process --
22 you go through it, you do what's expected, and it
23 could come back, so that's what we're hoping for
24 today. And if you've got questions for him, I'll sit
25 down now. Thank you very much.

1 CHAIRMAN BARTH: Thank you, sir. Appreciate it
2 very much.

3 I do have a quick question just on timeline. So
4 your probation is somewhere between 24 and 48 months
5 from the time of the conviction?

6 MR. BOLICK: From the time that I started
7 probation, which was July of last year.

8 CHAIRMAN BARTH: July of '17?

9 MR. BOLICK: 2017.

10 CHAIRMAN BARTH: Okay. So somewhere between
11 mid-2019 and mid-2021?

12 MR. BOLICK: Yes, sir.

13 CHAIRMAN BARTH: Okay. Great.

14 I will start with Ms. Reith and see what
15 questions she has for either the Department --

16 MS. REITH: Yes.

17 CHAIRMAN BARTH: -- or Mr. Bolick.

18 MS. REITH: My first question is actually for
19 the Department, Ms. Blagg. I'll give you a second to
20 walk up. Thank you.

21 So I took note in the comments of the defendant
22 that it wasn't until a student Googled him that the
23 school district really became aware. Why did it take
24 until that for the school district to know and not
25 previous when they made the extension of an offer to

1 him?

2 MS. BLAGG: Well, that's a multi-part answer,
3 but it really goes back to background checks. And
4 our fingerprints at that point in time were not
5 stored; we were not participating in the Rap Back
6 program which allows the Department to be notified of
7 arrests of teachers and allows us to follow those
8 cases, so that we didn't know at that point in time.
9 I believe -- I can't speak to the rest of that,
10 because that was before my time, so -- I just started
11 in January, so I don't know what happened before that
12 part of things and how that was allowed to --

13 MS. REITH: And moving forward, if a school
14 district did a background check would this come up?

15 MS. BLAGG: At this point in time, yes.

16 MS. REITH: Okay.

17 MS. BLAGG: If he completes his probation and
18 does -- and completes the other terms of his
19 sentence, and he does get the Act 346 waiver, then it
20 would be -- it's sealed and only available to the
21 Criminal Justice agencies.

22 MS. REITH: All right. Thank you.

23 MS. BLAGG: You're welcome.

24 CHAIRMAN BARTH: Ms. Zook?

25 MS. ZOOK: Yes. I can speak to the difficulty

1 within the juvenile courts, parents regaining the
2 ability to have custody. I was a CASA, or am a CASA.
3 And I think this is the courts that imposed this on
4 him and it's now the courts who have given him back
5 in a graduated phase his rights with the child, that
6 that speaks very loudly to me, as well as the fact
7 that you are taking responsibility, you're not making
8 excuses, you did the inpatient rehab. You are one of
9 the fortunate ones because in very few percentage
10 cases does that actually work. So that speaks well
11 for you and your rearing. I'm impressed with the
12 fact that you've done two -- three-fourths or two-
13 thirds of your community service in less than a year.

14 MR. BOLICK: Yes, ma'am.

15 MS. ZOOK: So, you know, the chances of you not
16 completing the other 40 hours -- unless taking up
17 parenting this summer cuts into the community
18 service. But I betcha those grandparents will be
19 more than happy to watch your child for that.

20 One question I do ask is, when you went to court
21 to be able to go beyond supervised visitation did the
22 -- did your child's biological mother have any
23 regrets or did she go before the court to ask the
24 Judge not to let you have this?

25 MR. BOLICK: Yes, ma'am, the second one. She

1 didn't want -- she didn't really want me to be any
2 part of my daughter's life anymore after I'd had her
3 every weekend and every summer since she was born.

4 MS. ZOOK: But DHS recommended to the court?
5 Because the Judge with just that one testimony would
6 not have moved forward. So did -- who spoke on your
7 behalf?

8 MR. BOLICK: My parents spoke on my behalf. But
9 before I was allowed to see her I had to take a hair
10 follicle test --

11 MS. ZOOK: Right.

12 MR. BOLICK: -- and I had to get -- I had to pay
13 \$1100 to take a psych evaluation. And so just
14 through the testimony of -- and all the inpatient
15 rehab, the outpatient rehab that I attended, through
16 all that the Judge awarded me to see her for four
17 hours a weekend upon that I completed all those
18 necessary things every week. And so I -- and I
19 didn't miss one single weekend. I passed 36 drug
20 tests, you know, over the course of 36 weeks. I
21 attended well over 150 NA meetings, saw a counselor
22 once a week, on top of working a fulltime job and,
23 you know, of course getting to see my daughter on the
24 weekend. So --

25 MS. ZOOK: Were you in drug court and juvenile

1 court, or just juvenile court?

2 MR. BOLICK: No, ma'am. I wasn't in either yet.
3 I hadn't even -- at the time that we started this
4 part I was still -- my charges were still pending in
5 Pine Bluff. I hadn't even had a resolution to my,
6 you know, legal charges in Pine Bluff yet, so --

7 MS. ZOOK: Okay. But I meant when the juvenile
8 judge made the decision that you could have your
9 daughter for the whole summer?

10 MR. BOLICK: Oh, yes, ma'am, it was just family
11 court.

12 MS. ZOOK: Family court.

13 MR. BOLICK: Yes, ma'am.

14 MS. ZOOK: Okay. And did you have to go through
15 drug court at all?

16 MR. BOLICK: No, ma'am. Just all the drug tests
17 and NA. It was seemingly drug court, even though I
18 was told that drug court did less than what I
19 actually had to do, so --

20 MS. ZOOK: Okay. That's all I have.

21 CHAIRMAN BARTH: Okay. Did you have a response
22 to Ms. Reith?

23 MR. BOLICK: I did. The school district knew
24 about my charges beforehand, when I went in there to
25 talk to them during the interview. I was upfront

1 about everything. And since I hadn't pled guilty to
2 any charges yet they went ahead and hired me and our
3 agreement was whenever I had a resolution to the
4 charges we would go from there, whether I could still
5 have the job or not. So, but with the student
6 Googling my name -- that happened before I got the
7 chance to resolve my charges, so --

8 MS. REITH: Thank you.

9 MR. BOLICK: Yes, ma'am.

10 CHAIRMAN BARTH: Great. Mr. Black?

11 MR. BLACK: No.

12 CHAIRMAN BARTH: Ms. Chambers?

13 MS. CHAMBERS: Just a couple of comments and
14 then a question.

15 MR. BOLICK: Okay.

16 MS. CHAMBERS: I certainly am impressed by your
17 willingness -- this is not easy, and certainly the
18 changes that you've made in your life since the
19 mistake are very commendable. I don't know anything
20 about prescription drug addiction and the difficulty
21 in getting permanently -- I mean, I guess to some
22 extent there's always a possibility for being
23 addicted again. But my guess is time is your friend;
24 the further you get away from these events and the
25 more time you've established in terms of not

1 returning to that behavior is in your favor. So the
2 question is -- I had the same question that Dr. Barth
3 did about probation and when it starts and the
4 implications of that. But the question is: why are
5 you here? Is there some benefit to you coming to us
6 before you've completed probation? I'm just
7 surprised you didn't wait until that was done and
8 then come to us.

9 MR. BOLICK: My understanding was that my
10 license was going to be revoked completely unless I
11 requested a hearing asking that it not be revoked but
12 temporarily suspended. So I understand what you're
13 saying; it's just I thought this was my only option,
14 so --

15 MS. CHAMBERS: No, it's my lack. So if it is
16 revoked are there opportunities -- this is maybe one
17 for the Department of Education. So if we determine
18 it's not appropriate to continue at this point, what
19 are the steps that he would take to come back later
20 on?

21 CHAIRMAN BARTH: I believe there's no option
22 once -- revocation is permanent; is that correct?

23 MS. BLAGG: Yes. Yes.

24 MS. CHAMBERS: That's what I needed to know.
25 Thank you.

1 MR. BOLICK: Okay. Thank you.

2 CHAIRMAN BARTH: Dr. Hill.

3 DR. HILL: Jason, I too appreciate your
4 transparency and just in this process I want to just
5 let you know how blessed you are to have parents to
6 go home to.

7 MR. BOLICK: Yes, sir, I know.

8 DR. HILL: And as you move through this process
9 from the State Board, it's just important as you move
10 along in this process you have accountability
11 partners --

12 MR. BOLICK: Right.

13 DR. HILL: -- that hold you accountable each and
14 every step of the way and that -- you know, when I
15 sit here and have dealt with many issues like this --
16 but the fact that you can go home to your father --

17 MR. BOLICK: Right.

18 DR. HILL: -- I don't know if you realize how
19 special that it --

20 MR. BOLICK: Yes, sir.

21 DR. HILL: -- because so many do not have that
22 support system.

23 MR. BOLICK: Right. And they've been supportive
24 --

25 DR. HILL: Yeah. Yeah.

1 MR. BOLICK: -- the whole way.

2 DR. HILL: The whole way. You know, and so --
3 and that speaks volumes to me on knowing that you
4 have accountability people there, that you learn,
5 and, you know, there's no experience wasted in the
6 process. And I'm sure there's somebody that -- you
7 know, depending on how the Board rules -- that you
8 can help who've come through or will go through what
9 you go through and there won't be an experience
10 wasted. So I appreciate your transparency in sharing
11 your journey before the Board.

12 MR. BOLICK: Thank you.

13 CHAIRMAN BARTH: Great. Ms. Newton, questions?

14 MS. NEWTON: This certainly puts a face on what
15 is I think an epidemic, not just in Arkansas but
16 across our nation. And I appreciate your willingness
17 to be open, your willingness to take responsibility
18 for your actions. So I really do appreciate that.

19 I do have one question for you. You mentioned
20 several times the things that you had done in the
21 past as far as treatment, especially the things to
22 make sure that you got visitation with your daughter.
23 But you said that visitation -- or you would be able
24 to get her this summer. What is going to be your
25 ongoing plan for treatment and to -- your support

1 system to make sure that you don't fall back into
2 some bad decisions?

3 MR. BOLICK: Yes, ma'am. And my wife who is a
4 teacher, we have three kids between us, and I still
5 go see a counselor, you know, once every two or three
6 months, and I still attend NA meetings. The further
7 I've gotten away from this the -- you know, the less
8 it is I ever think about going back. You know, I
9 went to the doctor not too long ago; you know, I was
10 having, you know, pain and I was dealing with stress.
11 And the first thing that I'd told the doctor was -- I
12 was upfront and I said, "I'm a recovering addict and
13 please don't" -- you know, "I'm going to need
14 something besides narcotics." So, I mean, I'm
15 upfront with people. I have -- I call my mom
16 probably at least once every two days just to talk to
17 her about what I'm going through. I mean, to be
18 honest, my life is pretty good now. You know, I
19 enjoy my life more today than I did when I was
20 teaching because of the addiction that I was in. You
21 know, there were so many lies and, you know, stuff
22 that you hide from people. Today, I'm just -- I'm
23 open and I'm honest and, you know, I'm just happy
24 overall today. So, you know, I would appreciate the
25 opportunity to get back in education -- but, you

1 know, even if I don't, I mean, you know, I'm going to
2 do well in whatever I do. So --

3 CHAIRMAN BARTH: Ms. Cochran?

4 MS. COCHRAN: And just to be clear I don't have
5 a vote on the Board, as was stated earlier. But the
6 teacher in me can't help but recognize the
7 opportunity for teaching and learning.

8 MR. BOLICK: Sure.

9 MS. COCHRAN: I know it would be easy to try to
10 bury this. But if you do get the opportunity to work
11 with youth in the future I hope you'll use it to help
12 them -- use your experiences to help them.

13 MR. BOLICK: Right.

14 MS. COCHRAN: And then the daughter in me can't
15 help but thank you for your relentless pursuit of
16 restoring your role as a father.

17 MR. BOLICK: Thank you.

18 CHAIRMAN BARTH: Great. Any other questions?

19 Okay. Then, thank you very much. Thank you for
20 your candid testimony today, and thank you to both
21 your parents for being here today as well. So --

22 MS. ZOOK: Do they do a summation or are we --

23 CHAIRMAN BARTH: Yes.

24 MS. ZOOK: Okay.

25 CHAIRMAN BARTH: Thank you, Ms. Zook.

1 MS. BLAGG: Thank you again. So I'm going to go
2 ahead and start off by saying that we recognize and
3 applaud Mr. Bolick's actions, his willingness to take
4 responsibility, his recovery, the steps that he's
5 taken to get his daughter back, and just overall
6 improve his life. Those are awesome accomplishments.

7 Also, just to address some of the questions that
8 I've been listening to, the reason why Mr. Bolick had
9 to come now as opposed to coming later is that once
10 we notify him -- the Department gives notification;
11 we notify him and he has a timeline that he has to
12 respond within. Because once we revoke it, it is --
13 there's no going back, and so this is the only time
14 that he has to complete this. If it was a different
15 situation we might not be here.

16 But also, Ms. Zook, in regards to the "shall,"
17 6-17-410(f) says that the State Board is authorized
18 to grant waivers of licensure eligibility provisions
19 so that you can ignore that (c) part, (c)(13).

20 And so I guess I'll go to the next statement,
21 which is that the Department has no objection to the
22 suspension as long as he completes the terms and has
23 a letter from a counselor saying that it's okay for
24 him to return to school.

25 And, let's see. Educator Bolick did plead

1 guilty to these disqualifying offenses, but it was
2 three years ago. He did teach for seven years at
3 that time. He has made changes. He is doing what he
4 needed to do to become -- to do better in his life.
5 We do acknowledge that it was the pain pill addiction
6 that led him to these actions. Educator Bolick has
7 provided lots of evidence stating that he has had
8 steady employment since the time of this incident and
9 he's provided character references, both of his
10 current employer and his parents. And he has
11 demonstrated that he does not pose -- he's attempted
12 to demonstrate that he does not pose a threat to the
13 health and safety of school children or personnel.

14 The Department would like to state that Educator
15 Bolick was found guilty of these disqualifying
16 offenses and you do have the statutory authority to
17 do -- proceed however you would like, whether that be
18 a revocation or a waiver. And that -- to consider
19 the age at which the time was committed -- the crime
20 was committed, the circumstances surrounding the
21 crime or event, the length of time since the crime or
22 incidents, subsequent work history, employment
23 references, character references, and other evidence
24 that he's put forth. Thank you.

25 CHAIRMAN BARTH: Great. Ms. Chambers?

1 MS. CHAMBERS: So again back to the technical
2 part of this -- so he would not be reinstated until
3 his probation is complete?

4 MS. BLAGG: So his -- he could be suspended and
5 then the suspension could be -- like if you suspend
6 him today it would be for three years to match up
7 with the term of his probation. Whatever terms you
8 would like, I can add to the order and get that to
9 you this afternoon.

10 MS. CHAMBERS: I was just curious if we were to
11 do that then is there anything that compels him to
12 come back at that point to insure that he has
13 maintained his sobriety and that everything is good
14 or, no, this is the moment that we have to make that
15 determination?

16 MS. BLAGG: Determine whether or not to revoke
17 or --

18 MS. CHAMBERS: Yes.

19 MS. BLAGG: Yes, this is the moment to determine
20 revocation. You can do suspension and have terms set
21 forth in there that he'd have to complete and
22 complete -- request that he complete another
23 background check to confirm there's been no other
24 incidents and the letter from the counselor saying
25 that he's okay to return to the school. Those are

1 options and stipulations that you guys have to --
2 within your control.

3 MS. CHAMBERS: Thank you.

4 MS. BLAGG: You're welcome.

5 CHAIRMAN BARTH: Great.

6 MS. BLAGG: Any other questions?

7 CHAIRMAN BARTH: No. And then he has 5 minutes
8 to close, as well?

9 MS. BLAGG: (Nodding head up and down.)

10 CHAIRMAN BARTH: All right. Mr. Bolick.

11 MR. BOLICK: Now I'd just like to reiterate
12 again that, you know, I come from a family of
13 teachers and that's just been my passion. Growing up
14 I played all the sports. As soon as I went to
15 college I knew that I didn't want to do anything but
16 coach, you know, and teach, and came along with -- I
17 just -- I'm very passionate about it and I would like
18 the opportunity to go back into education at some
19 point in the future, and that's what this hearing is
20 about today. You know, like I said before, I'm happy
21 with, you know, where I'm at today and, you know,
22 I'll walk out of here with my head held high
23 whichever way the decision goes, but, you know, I do
24 want to come here and ask for that opportunity. And,
25 once again, I thank y'all for hearing my story and,

1 you know, being sympathetic to me standing up here
2 and, you know, going into detail about everything
3 that happened. So, again, thank you.

4 CHAIRMAN BARTH: Thank you. Appreciate it.

5 All right. Ms. Zook?

6 MS. ZOOK: I'm ready with a motion, unless we
7 need to discuss further.

8 CHAIRMAN BARTH: No. You're ready to go.

9 MS. ZOOK: Okay. First of all, this motion is
10 predicated -- I did admire the fact that you didn't
11 ask us to give you your license until you'd finished
12 your probation. I think that you understand that
13 that helps our position, as well as yours. I think
14 you did a good job of presenting yourself, not only
15 articulately but in the manner in which you conducted
16 yourself.

17 And for those reasons then I would ask the
18 Department to put him on suspension for the time. He
19 can then notify you -- is that the way it would be
20 when the probation is over or the courts --

21 MS. BLAGG: It would need to be suspension for
22 the duration of his probation.

23 MS. ZOOK: But since we don't know how long that
24 will be --

25 MS. BLAGG: It's in the order.

1 CHAIRMAN BARTH: Ms. Blagg, can you come on up?
2 Sorry.

3 MS. ZOOK: Does it say 24 to 48 months?

4 MS. BLAGG: It says 48 months in the sentencing
5 order.

6 MS. ZOOK: Okay. But, okay, if his probation
7 officer sent a note to the Department saying he has
8 finished because his community service is over, is
9 that allowed? Can we word it that way or do we have
10 to do a time-certain?

11 MS. BLAGG: Yes. If we say that it's the
12 duration of his probation, yes, we can have it that
13 way. If he ends his probation at 24 months, as
14 opposed to the 48 months, it would go ahead and he
15 could be reinstated at that point in time.

16 MS. ZOOK: Okay. Ms. Hollis, did you get all
17 that?

18 MS. HOLLIS: (Nodding head up and down.)

19 MS. ZOOK: Okay. She has to write down our
20 motions.

21 Anyway, that would be my motion is for
22 suspension for the duration of the probation and then
23 once notified that his license be reinstated would be
24 my motion.

25 CHAIRMAN BARTH: Okay. And no other conditions

1 on that?

2 MS. ZOOK: Well, as long as he's on probation
3 he's having to do all that. But if y'all think it
4 would be wise for us to stipulate as well -- I guess
5 I would turn to Dr. Owoh to -- for -- I should've
6 mentioned your name and then asked my question.
7 Sorry. The teacher in me says ask the question and
8 then call your name. Should we stipulate the
9 specifics of go to NA and do all this, since he's
10 under probation and having to do what that probation
11 officer says?

12 DR. OWOH: If it's permissible to you, can I
13 defer to Ms. Reinhart so she can provide some
14 guidance?

15 MS. ZOOK: Okay. Anybody, whoever has an answer
16 would be helpful.

17 MS. REINHART: May I confer with Counsel?

18 MS. ZOOK: You may.

19 MS. REINHART: Thank you. Cheryl Reinhart with
20 the Department. I believe in this situation his
21 probation would be taking care of drug testing and --

22 MS. ZOOK: Okay.

23 MS. REINHART: -- you know, other activities
24 that he has to maintain; so completion of his
25 probation. But I would add another background check

1 when he's completed that, just -- although that would
2 cover -- I mean, his probation would cover criminal
3 offenses. At least another child maltreatment check
4 --

5 MS. ZOOK: Okay.

6 MS. REINHART: -- at the very minimum --

7 MS. ZOOK: Okay.

8 MS. REINHART: -- I would say.

9 MS. ZOOK: So, Ms. Hollis, can you add that?

10 MS. HOLLIS: Yes.

11 MS. ZOOK: Okay.

12 CHAIRMAN BARTH: Okay. So --

13 MS. ZOOK: So I think what I'm saying is this: a
14 letter from the probation officer, once your
15 probation is finished, as well as successfully
16 completing a background check, and then be suspended
17 for that period of time and then an opportunity to
18 get your license back. But please understand that if
19 you have to come again you will not find at least
20 within me a sympathetic hear.

21 MR. BOLICK: Yes, ma'am.

22 CHAIRMAN BARTH: Is there a second to that
23 motion?

24 MS. NEWTON: Second.

25 CHAIRMAN BARTH: All right. Second by Ms.

1 Newton.

2 Any further discussion of the motion?

3 Okay. All those in favor say "aye."

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRMAN BARTH: Opposed, same sign.

6 Congratulations.

7 MR. BOLICK: Thank you.

8 CHAIRMAN BARTH: Good luck.

9 All right. We are -- yes, we are taking a
10 break. Now, is the -- my question is whether the
11 Gilbert family is here, present today?

12 MS. DEDMAN: Good afternoon. Jennifer Dedman
13 for the Department. The Gilbert family is present.
14 Both of the parents are here. Also we have
15 representatives from both districts.

16 CHAIRMAN BARTH: Okay. I think we do need a
17 break. Why don't -- and we'll go ahead and grab
18 lunch. I apologize for keeping the Gilbert family,
19 in particular, and the schools. But why don't we say
20 we will return at 1:35. That will give us 30 minutes
21 for lunch. And I apologize for the delay, but the
22 morning ran long.

23 (LUNCH BREAK: 1:07 - 1:41 p.m.)

24 CHAIRMAN BARTH: Board Members, we are getting a
25 passing grade from our A/V person in terms of our

1 performance, except he does ask that we remember to
2 turn down the microphones rather than turning them
3 up, based on our -- as is our tradition, so it will
4 help a little bit. But we're doing okay.

5 A-6: CONSIDERATION OF REQUEST FOR APPROVAL OF NOMINATED
6 MEMBERS FOR THE PROFESSIONAL LICENSURE STANDARDS BOARD TO
7 REPLACE MEMBERS WHOSE TERMS ARE VACANT OR EXPIRING JUNE 30,
8 2019

9 CHAIRMAN BARTH: Just for folks who are
10 following, we are just going to have two items from
11 this morning to finish up. The first one is Dr.
12 Owoh, and this is approval of new committee members
13 -- new members for the PLSB to replace folks who are
14 leaving.

15 DR. OWOH: Good afternoon. Jeremy Owoh,
16 Assistant Commissioner of Educator Effectiveness.
17 I'm here to present to you for your consideration the
18 nomination of Dr. Ellen E. Treadway, Associate
19 Professor of Teaching, Learning and Leadership at
20 Arkansas Tech University, Center for Leadership and
21 Learning. She's been nominated by the Arkansas
22 Professors of Educational Administration organization
23 to represent their membership on the Professional
24 Licensure Standards Board.

25 CHAIRMAN BARTH: All right. Any questions?

1 I'd entertain a motion to approve Dr. Treadway.

2 MS. CHAMBERS: So moved.

3 DR. HILL: Second.

4 CHAIRMAN BARTH: All right. Motion by Ms.

5 Chambers, second by Dr. Hill.

6 All those in favor say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN BARTH: Opposed, same sign.

9 Okay. Great. Thank you, Dr. Owoh.

10 DR. OWOH: Thank you.

11 A-7: PUBLIC SCHOOL CHOICE ACT

12 (a) CONSIDERATION OF APPEAL FROM DENIAL OF SCHOOL CHOICE
13 APPLICATION - GILBERT FAMILY

14 CHAIRMAN BARTH: All right. We are now up to
15 item 7, which is a public school choice appeal. And
16 I'll turn it over to Ms. Dedman to explain our
17 procedure.

18 MS. DEDMAN: Good afternoon. Jennifer Dedman,
19 attorney for the Department. You should have in your
20 packets an overview of the Public School Choice Act
21 of 2015. If you'll allow me, I'll just take a moment
22 and hit the highpoints.

23 Okay. The Act allows a student to attend a
24 nonresident district subject to the restrictions
25 contained in Arkansas Code Annotated 6-18-1906. Any

1 student who applies for a transfer and is denied by
2 the nonresident district may appeal that denial to
3 the State Board. There are a few restrictions. If
4 the provisions of the law conflict with the provision
5 of an enforceable desegregation order or a court-
6 approved desegregation plan limiting the transfer of
7 students between districts, the plan or the order
8 will govern. A district claiming that conflict must
9 submit, of course, that order or plan as approved and
10 that the order or plan is active and enforceable.
11 The law does set a 3% net maximum limit on school
12 choice transfers each year from a district, and the
13 district may set standards concerning the acceptance
14 or rejection of a school choice application. Those
15 standards can include the capacity of a program, a
16 class, a grade level, or a school building. A
17 district can claim lack of capacity only if the
18 district has reached at least 90% of the maximum
19 authorized student population in a program, class,
20 grade level, or school building. The standards may
21 not include other certain things: academic
22 achievement, athletic or extracurricular ability,
23 English proficiency, special education needs, except
24 those allowed under capacity or previous disciplinary
25 proceedings, except expulsions.

1 We do have one school choice appeal today. The
2 Gilbert family is here today to appeal the decision
3 of the Elkins School District to deny their child's
4 school choice application for the 2018-2019 school
5 year. The family resides in Fayetteville School
6 District. We have representatives from Elkins and
7 Fayetteville here today, as well as the parents.

8 The additional information that you have before
9 you -- actually, we have information that has been
10 provided in the packet that begins with Hearing
11 Procedures. We also have some additional information
12 that has been provided by the Gilbert family, which
13 I'll hand out to you now. This information, we
14 discovered this morning, is missing one page; so
15 you'll receive two things from me momentarily. Okay.
16 Again, this additional information that you're
17 receiving has been provided by Ms. Gilbert.

18 (WHEREUPON, Gilbert Exhibits One (1) and Two (2)
19 were marked for identification and entered into
20 evidence.)

21 MS. DEDMAN: The representatives for all of the
22 parties will need to be sworn in. The hearing rules,
23 which you've already heard from Ms. Blagg today, are
24 they provide for 5 minutes for each party to present,
25 beginning with the nonresident district. Then each

1 party will have 20 minutes for their full argument,
2 beginning again with the nonresident district. And
3 then each party will have 5 minutes of rebuttal time
4 at their option.

5 CHAIRMAN BARTH: All right. Okay. And so if
6 members of the Gilbert family who plan to testify, as
7 well as representatives of the Elkins and
8 Fayetteville districts would please stand and raise
9 your right hand. Thank you. Do you swear or affirm
10 the testimony you're about to give shall be the
11 truth, the whole truth, and nothing but the truth?

12 (SPEAKERS ANSWERED AFFIRMATIVELY)

13 CHAIRMAN BARTH: Great. And so, Ms. Dedman, we
14 start with the Elkins district; correct?

15 MS. DEDMAN: Yes.

16 CHAIRMAN BARTH: Great.

17 SUPT. JORDAN: Dr. Barth, Members of the Board,
18 thank you for allowing me to be here this afternoon.
19 In brief --

20 CHAIRMAN BARTH: And if you'll just identify
21 yourself for the record.

22 SUPT. JORDAN: I'm sorry. I'm Dan Jordan, the
23 superintendent of Elkins School District.

24 CHAIRMAN BARTH: Thank you, Mr. Jordan.

25 SUPT. JORDAN: I'm sorry.

1 CHAIRMAN BARTH: No, that's great.

2 SUPT. JORDAN: In short, the district denied
3 this particular student's school choice application
4 because his enrollment would have resulted in the
5 district having to add a paraprofessional to meet the
6 student's needs.

7 (COURT REPORTER'S NOTE: Ms. Hollis goes to the
8 podium and raises the microphone.)

9 SUPT. JORDAN: You even told me to do that; I'm
10 sorry. Should I start over?

11 CHAIRMAN BARTH: You're fine. Go ahead.

12 SUPT. JORDAN: Okay. The district's denial
13 letter, my letter to the parent of May 8th -- it
14 should be in your packet -- stated that the reason
15 for denial was the additional cost that the district
16 would incur, but it did not make clear the additional
17 -- the cost being referenced was regarding the
18 addition of professional staff. However, my point
19 about that is the addition of the paraprofessional
20 that is the basis on which the application was
21 denied. The School Choice Act does not require
22 school districts to add teachers, staff, or
23 classrooms in any way to exceed requirements or the
24 standards established by current law. And our
25 district also established -- I say established --

1 they adopted -- the school adopted in the April board
2 meeting a resolution, as we do each year, which would
3 have the right to reserve capacity of any grade
4 levels, programs, et cetera for that coming school
5 year based on our current student population. And
6 this year that didn't require us to do that after we
7 -- after May 1 when I went through those
8 applications. However, it did list that we could
9 deny an application if it required a district to have
10 additional staff for any reason and that would be the
11 last bullet on the resolution.

12 In short, again I would share that the timeline
13 and the process this past year -- well, over several
14 years actually -- is a little unique, and I'll share
15 more about that when I have my opportunity in just a
16 few moments to share the timeline and how that kind
17 of muddied the water, if you will. And I will do
18 that when I speak in a few moments.

19 CHAIRMAN BARTH: Great. So next is
20 Fayetteville, correct, or next is the parent? I
21 always get confused on the order here. I apologize,
22 Ms. Dedman.

23 MS. DEDMAN: No problem. This is the
24 representative for Elkins School District.

25 CHAIRMAN BARTH: Right.

1 MS. DEDMAN: The next speaker will be the
2 parent.

3 CHAIRMAN BARTH: Okay.

4 MS. DEDMAN: The Board may address the
5 representative from Fayetteville School District if
6 you have any questions.

7 CHAIRMAN BARTH: Okay. But we don't reserve
8 time for the Fayetteville?

9 MS. DEDMAN: No, sir.

10 CHAIRMAN BARTH: Okay. Great. All right.

11 I'll turn it over to the Gilbert family and
12 y'all have up to 5 minutes for opening and then will
13 have additional time later on.

14 MS. GILBERT: I'm Angela Gilbert, Jeb's mom. We
15 just want him to go to the school that's best for
16 him. We thought that would be Elkins. We put in for
17 School Choice; we had meetings about him going there.
18 That led us to believe that they had accepted the
19 school choice, and then they turned around and denied
20 it. So we're just here to try and get him into
21 Elkins --

22 CHAIRMAN BARTH: Okay.

23 MS. GILBERT: -- so he has the best education
24 possible for his disability.

25 CHAIRMAN BARTH: All right.

1 MS. ZOOK: Can we ask questions now, or later?

2 CHAIRMAN BARTH: Let's hold on just a second.

3 I'm sure board members are going to have more
4 questions.

5 MS. GILBERT: Okay. And what she had handed
6 out, I have the unredacted copies of that. Do I need
7 to hand those out now or --

8 CHAIRMAN BARTH: I think it's fine, unless an
9 individual member wants an unredacted copy. Is
10 everybody all right with redacted in this case?

11 Okay. I think it's pretty clear from the
12 redactions, but if folks have -- if they do want the
13 original they can get it.

14 MS. GILBERT: Okay.

15 CHAIRMAN BARTH: So, great.

16 MS. GILBERT: All right. Thank you.

17 CHAIRMAN BARTH: Okay. All right. And so I'll
18 turn it back to the Elkins district and they have now
19 up to 20 minutes for your presentation, if you need
20 additional time.

21 SUPT. JORDAN: Thank you. Additional -- no,
22 I'll share that in a moment. The process that I
23 referenced earlier outside the law and the
24 requirements of the Public School Choice, we go
25 through the process each year in northwest Arkansas.

1 I've been up there for five years as superintendent,
2 and the school choice has increased certainly in our
3 district in terms of numbers. The -- we are allowed
4 a certain number of max net, either growth or loss of
5 students, and our number this year was 37, which has
6 nothing to do with this particular issue at hand.
7 And I think we wound up growing by 35 this year, if
8 all of them show. So that part of the law is in
9 place.

10 What occurred is last year, last school year,
11 16-17 school year, on May 30th the mother made
12 application for school choice for this fall, this
13 current school year. That was within 29 days of the
14 deadline for last fall. And when those come in we --
15 there's nothing in the law that says -- that
16 determines when they can come in. There is, however,
17 a deadline of May 1 for them to be in to be
18 considered for the fall of the next current school
19 year. As those come in they're simply collected in a
20 folder in the superintendent's office, our
21 superintendent's office. The administration building
22 is actually a quarter of a mile down Highway 16 from
23 where the four campuses are, and they wind -- they're
24 there and they wind up in a folder. And that June --
25 after that June 30th, the following month on --

1 excuse me -- that May 30th, on the following month,
2 June 30th, my secretary, who was actually the
3 receptionist, retired and was replaced the following
4 month, in June -- July '17 by -- Ms. Eaton is who's
5 currently in that place. So all they do is collect
6 them. I'm sharing that with you because there was
7 two different people that collected these, and they
8 simply collect them for me to take a look at them
9 when we get ready to do this in April and start the
10 process. So that was in May of '17.

11 On March 15th there was a transition conference.
12 This particular child has been enrolled in the Evonne
13 Richardson Center [sic]; you'll see that information
14 in your packet. And it's routine procedure that they
15 have transition conferences for these students into
16 the school districts where they're going to attend,
17 actually in the school building they're going to
18 attend, for programming and IEPs and so-forth.

19 [coughing] Excuse me. That happened on March 15th at
20 Elkins because the application was an Elkins address
21 with an Elkins Zip Code; however, the parent had
22 applied for school choice and no one at the school
23 knew it because I don't share that information with
24 the schools until we go through the school choice
25 process. So sitting in the central office was a

1 request to come on school choice that no one knew
2 about at the building, and they had the preliminary
3 conference on March 15th with the Richardson Center
4 folks as well as the psych examiner, is my
5 understanding. That was March.

6 On April 15th this year -- at the end of April I
7 started the process. I had my secretary create a
8 spreadsheet, first of all, with time and date of
9 applications so that when we get down to meet our net
10 37 this year we're not going to have to make those
11 decisions. I have her do it both that way, as well
12 as by grade levels so we'll know how many students
13 are in each grade level. I have to have that
14 information as we start that process to know -- to
15 create a resolution for my school board to pass in
16 April, should we have to limit any grade level due to
17 our numbers that already exist, if that makes sense.

18 During that process the board -- we did come
19 with a resolution; you see a copy of that. I've
20 already mentioned to you that we did not have to
21 limit any grade levels. But with regard to the
22 program, this particular student would be required to
23 have an aid and I'll get more into that in just a
24 moment.

25 The -- when I -- and I want to say it was late

1 April -- April or May, I can't tell you a date --
2 when I saw that this child -- you see the application
3 in there. The redacted portion of that had four
4 different characteristics that the child presented
5 with, and I got that to my LEA. We -- in Elkins, we
6 share a special ed. supervisor with three other
7 districts. [coughing] Excuse me. We co-op that for
8 affordability for our district. And I told her what
9 we had and asked her to check into that and she went
10 about that process. Coming back from that process,
11 she shared that there had been a -- she didn't
12 recognize the name, but when she talked to her
13 special ed. consultant that works with our district
14 discovered that that was a name that we had just had
15 a conference on back before spring break. And all
16 those things began to fuse at that point and she
17 shared with me that the Evonne Richardson Center
18 [sic] staff, education staff, the psychological
19 examiner and our staff, that after sometime -- a date
20 in April, before they knew that this was a school
21 choice child, actually went to the Evonne Center
22 [sic], Richardson Center to make an observation of
23 this child. And all three of those -- the Center,
24 the psych examiner, and our people -- said that this
25 child would need additional support when they began

1 kindergarten in the classroom. That support would be
2 in the form of an aid that we don't currently have in
3 our district.

4 So after the May 1 deadline, which was after the
5 March resolution -- the April resolution from the
6 board, we -- I collected those and crafted all the
7 letters in haste. My letter to the parent was poorly
8 worded in that it didn't fully explain the additional
9 staff requirement. It was -- I took the advice of my
10 LEA supervisor, and I should've dug deeper in that
11 when I did that. But we didn't qualify the
12 additional aid was the reason for incurring the
13 additional cost.

14 Mid-May then the second conference was
15 scheduled. The principal at this time -- when I do
16 those I send copies of the letter to the building and
17 copies of the letter to the parent, and then
18 obviously the secretary does the things with other
19 districts with that communication. In mid-May he
20 called to share what he had discovered and -- which
21 was the fact this school choice was -- had been
22 denied. And so they didn't have the second
23 conference, which was going to be the actual physical
24 IEP, in that process.

25 I have -- I brought copies of the -- of an

1 actual psychological evaluation, but I didn't -- I
2 don't think it's appropriate for me to share that
3 with you with regards to FERPA. But that's basically
4 what happened and the series of events around what
5 happened. I'd be happy to answer any questions or
6 whatever I'm supposed to do.

7 CHAIRMAN BARTH: All right. So we can take
8 questions now?

9 MS. DEDMAN: Yes.

10 CHAIRMAN BARTH: Okay. Ms. Zook.

11 MS. ZOOK: Yes. At what point did you all
12 discover that this was a Fayetteville attendance zone
13 student and not an Elkins student?

14 SUPT. JORDAN: When you say y'all do you mean me
15 or --

16 MS. ZOOK: Whoever. Whoever discovered it and
17 brought it to the attention of you.

18 SUPT. JORDAN: Well, actually the person that
19 would've brought it to our attention would've been
20 the parent that completed the school choice
21 application.

22 MS. ZOOK: Okay. So she knew, and y'all didn't
23 recognize it immediately?

24 SUPT. JORDAN: I didn't even look at the folder.
25 The secretary knows as they come along -- ma'am, this

1 is throughout the year. This last year it seems like
2 the first one was like in July.

3 MS. ZOOK: Right.

4 SUPT. JORDAN: This one happened the same month
5 as the last due-date.

6 MS. ZOOK: Planning ahead.

7 SUPT. JORDAN: They're simply collected in a
8 file, a file that everyone knows where they are in
9 case the receptionist is out; any -- anybody, any of
10 the people who work in my building know that when
11 they come in they're supposed to time it and they're
12 supposed to date-stamp it so that we know exactly
13 when those come in, so there's a sequential order if
14 we should have to get to a max net and deny someone
15 for that. So that's just the process that everyone
16 knows in my office and they're just -- they're just
17 put in there.

18 MS. ZOOK: Okay. Thanks.

19 SUPT. JORDAN: If that answers the question.

20 CHAIRMAN BARTH: Ms. Reith, any questions?

21 MS. REITH: For the family more than -- or at
22 this time is it --

23 CHAIRMAN BARTH: They still --

24 MS. REITH: Gotcha.

25 CHAIRMAN BARTH: They still get 20 more minutes,

1 so --

2 MS. REITH: Then I'm fine right now. Thank you.

3 CHAIRMAN BARTH: -- it's really just in
4 clarifying anything about the --

5 MS. REITH: Yes. Thank you.

6 CHAIRMAN BARTH: -- about the Elkins district's
7 activities. Anybody else have questions?

8 Ms. Newton.

9 MS. NEWTON: I just have one quick question.
10 Did you accept any other special ed. students this
11 year?

12 SUPT. JORDAN: There were no other special ed.
13 students this year. There were many with 504 and
14 speech and physical therapy and other issues, but no
15 special ed. student this particular year.

16 MS. NEWTON: Okay. Did you hire any other staff
17 for any incoming students?

18 SUPT. JORDAN: No, ma'am, we did not.

19 MS. NEWTON: Okay.

20 CHAIRMAN BARTH: Any other questions over here?
21 All right. We'll be back to you --

22 SUPT. JORDAN: Yes, sir.

23 CHAIRMAN BARTH: -- for more questions later.
24 But we'll go back to the family. And so you do have
25 20 minutes if you'd like to respond to anything,

1 clarify anything, or expand on your previous
2 comments.

3 MS. GILBERT: I went and picked up a school
4 choice application before not this last school year
5 but the previous school year and turned it in before
6 they had got let out for summer. I informed ERC, the
7 Elizabeth Richardson Center that we did live in
8 Fayetteville but I was doing school choice. They
9 actually -- which is in the packet y'all have -- sent
10 a letter to that. I did mention it in the transition
11 meeting that we had because we talked about what bus
12 he would ride and that we are the only house on that
13 road that is Fayetteville School District. They set
14 up the transition meeting. They also called to set
15 up an IEP meeting with us, which was canceled two
16 days before that, because I had gotten the rejection
17 letter about the school choice. I spoke to the
18 principal and asked him for written documentation
19 about canceling the meeting and he gave me a whole
20 list of reasons why he could not do that. So I don't
21 -- I mean, down to -- I mean, he even brought up that
22 ERC was responsible for writing his kindergarten IEP,
23 which I don't think that's how that works but it was
24 one of the reasons why I couldn't get written
25 documentation about canceling the meeting. So I

1 don't -- I just didn't understand the process that
2 went on and why they would start the transition and
3 the IEP meetings if we weren't supposed to be doing
4 that. It just confused me. So they did send us a
5 notice of the conference that we were supposed to
6 have, but I got it a day after the meeting was
7 supposed to happen. So I don't -- I don't know what
8 else I need to tell you.

9 CHAIRMAN BARTH: Okay. I think the folks may
10 have some questions for you.

11 Any questions on this side?

12 MS. NEWTON: Let's start with Ms. Zook; she's
13 the expert in that area.

14 CHAIRMAN BARTH: Ms. Reith, anything?

15 MS. REITH: Thank you. Thank you, Ms. Gilbert.
16 And it's obvious how important this is to you and
17 your family.

18 MS. GILBERT: Yes.

19 MS. REITH: If you could just give a little bit
20 more context in regards to why this transfer is so
21 important to you and why you think Elkins is the
22 better fit?

23 MS. GILBERT: It's a smaller school, so from
24 kindergarten through his high school years he would
25 have the same core group of friends, which is

1 important for him. He's autistic and needs
2 consistency. We've lived in Elkins his whole life,
3 so it's the community that he's used to. There are
4 other children at ERC that he goes to school with now
5 that will be going to Elkins, so he'll already have
6 friends there. I just feel it's the best fit for
7 him.

8 MS. REITH: Thank you.

9 MS. GILBERT: You're welcome.

10 CHAIRMAN BARTH: Ms. -- I think -- I think your
11 husband would like to add a few points too.

12 MR. GILBERT: Also, getting him to go to Elkins
13 is important to me. I went to Elkins. Actually
14 during the transition meeting the teacher that sat in
15 was a grade below me. So as a kindergarten teacher
16 for him getting one of the two teachers that I went
17 to high school with would be amazing. I mean, I
18 could talk to the teacher, let them know what's going
19 on, you know, if something at home is happening,
20 anything else. And this is a community I've been
21 raised in, grew up in, and I want my son to be raised
22 and grow up in the same. That's all I have.

23 CHAIRMAN BARTH: Thank you.

24 MS. REITH: If I could ask a follow-up question,
25 did you all know when you purchased your home that

1 you were zoned for Fayetteville and not Elkins?

2 MR. GILBERT: We lived there before she was even
3 pregnant.

4 MS. REITH: Gotcha.

5 MR. GILBERT: Before we were even married we
6 lived in that house.

7 MS. GILBERT: So --

8 MR. GILBERT: Yeah.

9 MS. GILBERT: -- when it came time to start
10 school we found out where we were supposed to be and
11 took the steps --

12 MR. GILBERT: It's --

13 MS. GILBERT: -- that we needed to take so he
14 could go to Elkins.

15 MR. GILBERT: It's actually a home that I lived
16 in from the time I was in 9th grade to graduation at
17 Elkins, and the school bus actually picked me up at
18 that house every day.

19 MS. GILBERT: It's the only bus that goes by
20 that house is Elkins.

21 MR. GILBERT: Fayetteville bus stops at the end
22 of the dirt road and so my son would be dropped off a
23 half-mile from the house if he goes to Fayetteville.

24 MS. REITH: And to which school are you zoned in
25 Fayetteville?

1 MS. GILBERT: It's Happy Hollow.

2 MS. REITH: Uh-huh.

3 MS. GILBERT: So it's one of their newer --

4 MS. REITH: Fayetteville is my home, so yeah --
5 I know -- definitely know Happy Hollow.

6 MS. GILBERT: So you know where we're talking
7 about.

8 MS. REITH: Most definitely. Most definitely.
9 Thank you. Those are my questions.

10 CHAIRMAN BARTH: Ms. Zook.

11 MS. ZOOK: Okay. You may or may not want to
12 share. I was a teacher of autistic children, so I
13 appreciate. But can you give me as little or as much
14 information as you feel comfortable about why they
15 believe that he will need a paraprofessional or
16 teacher's aid or whatever the reference is? What did
17 the -- in the conference did that come from the
18 district, did that come from the sending center? How
19 was --

20 MR. GILBERT: It came from an old review.

21 MS. ZOOK: Okay.

22 MR. GILBERT: Pretty much one of his first
23 reviews when he went to ERC, that's what they went
24 off of. He was scheduled to have another evaluation
25 and Elkins actually wanted ERC to go ahead and give

1 that to him so that we could see where he was at.
2 And that was actually part of the next meeting, as
3 well with his IEP, was that evaluation would be done
4 so we'd have more information and actually know if he
5 needed an aid.

6 MS. ZOOK: Okay. Is he verbal?

7 MS. GILBERT: Yes.

8 MR. GILBERT: Yes.

9 MS. ZOOK: Okay. And so the aid is more for re-
10 explaining, for modifying or controlling behavior, or
11 -- because I worked with a lot of autistic kids but
12 very, very few ever needed a paraprofessional --

13 MS. GILBERT: Right.

14 MS. ZOOK: -- of their own.

15 MR. GILBERT: Honestly, I doubt that he would
16 need one. I mean, if he did it would be a couple
17 days till he got used to a new school, and after that
18 --

19 MS. GILBERT: Transitioning mainly; from going
20 from one thing to another he might need somebody to
21 be like, "Oh, we're going to do this first and then
22 we'll go do this."

23 MS. ZOOK: Right.

24 MS. GILBERT: But I don't --

25 MS. ZOOK: Is the current provider, do they

1 provide that service, the transition for the
2 children?

3 MR. GILBERT: They do I believe the first day
4 they go to that school. Is that -- I believe they go
5 with them on the first day --

6 MS. GILBERT: They -- yeah.

7 MR. GILBERT: -- and show him around and show
8 him what he's doing. And then after that, they
9 don't.

10 MS. GILBERT: They have --

11 MR. GILBERT: But they have someone to go with
12 us to any open houses or anything like that.

13 MS. ZOOK: Okay. But the danger comes in you
14 think he won't need somebody and then he got there
15 and he did, and then he would have to change schools.

16 MS. GILBERT: And that's --

17 MS. ZOOK: So I think balancing that --

18 MS. GILBERT: -- why they were wanting to do --

19 MR. GILBERT: Right.

20 MS. ZOOK: And I do appreciate that the
21 superintendent says he poorly worded it, in that it's
22 not that a child is costing more to educate; it's the
23 addition of staff is what was costing more.

24 MS. GILBERT: Right. But -- and they --

25 MR. GILBERT: Right. If it would've said

1 addition of staff, we probably wouldn't be here
2 today.

3 MS. ZOOK: Right.

4 MR. GILBERT: Because we read the school board's
5 laws on it and -- but saying that it's for financial
6 reasons makes it --

7 MS. ZOOK: Right.

8 MR. GILBERT: -- sound like it's his disability.

9 MS. ZOOK: Right.

10 MR. GILBERT: And that --

11 MS. ZOOK: Yeah.

12 MS. GILBERT: That's not right.

13 MR. GILBERT: That's not right.

14 MS. ZOOK: I totally and completely understand.
15 But I do appreciate the fact that knowing that he was
16 going to be in the Fayetteville district and go to
17 Elkins that you were put -- had enough foresight to
18 get it in a year ahead. You know --

19 MS. GILBERT: Yes.

20 MS. ZOOK: -- you're going to go I want to be
21 the first stamped.

22 MR. GILBERT: Yes.

23 MS. GILBERT: That's what I was trying -- that
24 was my goal.

25 MS. ZOOK: And I do appreciate that. He's

1 obviously a very fortunate child to have you all as
2 parents.

3 MS. GILBERT: Thank you.

4 MR. GILBERT: Thank you.

5 CHAIRMAN BARTH: All right. Mr. Black,
6 anything?

7 MR. BLACK: No.

8 CHAIRMAN BARTH: Ms. Chambers?

9 MS. CHAMBERS: I don't know if this is a
10 question so much as giving you an opportunity, or
11 later maybe the superintendent if I didn't -- I'm
12 trying to make sure I've understood because there's a
13 lot going on in this story.

14 MS. GILBERT: Yes.

15 MS. CHAMBERS: So you put your application in
16 early?

17 MS. GILBERT: Yes.

18 MS. CHAMBERS: There was maybe some process
19 confusion on the school's side in terms of where you
20 lived and various things. But you got your app in on
21 time. If their application had been first, I'm
22 curious -- it sounds like it still would've been
23 additional staff that would've been required; it
24 wouldn't matter if they were thirty-seventh or first?
25 That's a question. But I'm assuming wherever they

1 were in the order you would've still required
2 additional staff. I don't know if you've talked to
3 Fayetteville yet, but if your son were to go to the
4 Fayetteville school for kindergarten would he -- have
5 they indicated that he would have this additional
6 staff as well, or would need it, or do you know?

7 MS. GILBERT: They told me they have --

8 CHAIRMAN BARTH: If you could just get a little
9 closer to the mic.

10 MS. GILBERT: Yes, sir.

11 CHAIRMAN BARTH: I appreciate it.

12 MS. GILBERT: They told me that they have aids
13 that are already on staff there, that if needed they
14 send them wherever when they're needed, with whoever
15 they are needed for. There's not like one aid for
16 every child, but there's just -- there's extra people
17 in the classrooms.

18 MS. CHAMBERS: They have sufficient staff?

19 MS. GILBERT: Yes.

20 MS. CHAMBERS: And no more would need to be
21 hired there?

22 MS. GILBERT: Not that I know of.

23 MS. CHAMBERS: Okay. Thank you.

24 CHAIRMAN BARTH: Ms. Newton?

25 MS. NEWTON: One of the comments you said just

1 kind of struck me. There are no other Fayetteville
2 students -- no other students that go to Fayetteville
3 that live around you, they're all Elkins?

4 MS. GILBERT: There was one other student that I
5 know of at his -- where he goes to school at ERC that
6 will be going to Elkins. I don't know about any
7 others.

8 MS. NEWTON: In your neighborhood, I guess is
9 what I'm --

10 MS. GILBERT: In my neighborhood, I don't know
11 of any other kids that go there. No.

12 MR. GILBERT: It's a rural area. The closest --
13 it's probably two miles up the road to get to
14 Fayetteville kids. I'm not sure that there's even
15 kids there because of how spaced out the houses are.

16 MS. GILBERT: There's like our house, another
17 house, and then go down --

18 MR. GILBERT: But --

19 MS. GILBERT: -- around the corner, and there's
20 more people. So --

21 MS. NEWTON: Okay. And the other thing you said
22 was the bus stopped a half-mile from your home, at
23 the end of the dirt road. Is your child going to be
24 able to walk that distance on his own or --

25 MR. GILBERT: That was the Fayetteville bus --

1 MS. NEWTON: That's what I'm saying, the --

2 MR. GILBERT: -- that stops at the end of the
3 dirt road.

4 MS. NEWTON: That's what I'm saying --

5 MS. GILBERT: And no --

6 MS. NEWTON: -- is that if your child goes to
7 Fayetteville --

8 MR. GILBERT: No. No, we'll be taking him if we
9 have to or a special bus will be coming to pick him
10 up. I believe the special bus --

11 MS. GILBERT: Yes.

12 MS. NEWTON: Have you talked to them about
13 accommodations for that or --

14 MS. GILBERT: I did speak with them. I told
15 them we were coming up here to have this here and
16 that I would get back to them to enroll him if he
17 didn't get to go to Elkins and then that's when we
18 would --

19 MS. NEWTON: Work the details out?

20 MS. GILBERT: Yeah.

21 MR. GILBERT: Yeah.

22 MS. NEWTON: Okay. All right. Thank you.

23 CHAIRMAN BARTH: Okay. Ms. Cochran, anything?

24 MS. COCHRAN: No.

25 CHAIRMAN BARTH: Okay. All right. Any further

1 questions before we go back to closing? And then
2 we'll have additional opportunities if there are.

3 Okay. Thank y'all very much --

4 MR. GILBERT: Thank you.

5 MS. GILBERT: Thank you.

6 CHAIRMAN BARTH: -- for taking that time.

7 And so you now have really time to close, up to
8 5 minutes. But I think we're beginning to get clear
9 on things. So, go ahead.

10 SUPT. JORDAN: Thank you, sir. I will be quick.
11 In closing, the district's position is that in spite
12 of my poorly worded denial letter from the district
13 to the parent it is within the authority of our
14 school district to deny this application because
15 accepting it would result in us having to hire
16 additional staff that we -- than we already have for
17 this student. Thank you.

18 CHAIRMAN BARTH: And closing on this side?

19 MR. GILBERT: Just mainly the poorly written
20 letter is not the most out of this. I just want
21 what's best for my son, and him going to a school in
22 the community that he's been raised in with the
23 people that he's been around his life would help in
24 his development. That's what I've got. Thank you.

25 CHAIRMAN BARTH: Great. Okay.

1 I have a question for the Department. And I've
2 -- we've had cases not exactly like this but similar
3 when there are special needs issues. And I know the
4 law says no additional staffing is required, but
5 additional resources might be necessary to meet the
6 needs of special needs children. When the additional
7 resources are -- is a person, how do we -- I'm just
8 trying to get my head around at what point does
9 discrimination against students with special needs
10 veer into acceptable prohibitions on choice because
11 of the additional staff?

12 MS. DEDMAN: Sure, I'll guide you as far as I
13 can. Some of this will be for the Board to
14 determine. The area that the superintendent -- the
15 area of the law the superintendent is referencing is
16 contained in your packet at 6-18-1903(c). The
17 subchapter does not require a school district to add
18 teachers, staff or classrooms in any way to exceed
19 the requirements and standards established by
20 existing law. The question you're asking is the
21 difference between a service and capacity, and that
22 is an issue for the Board to decide.

23 CHAIRMAN BARTH: Well, we don't have a capacity
24 issue here in the traditional sense. Instead, we
25 have an additional resource in the form of human

1 capital, and so that's what I'm struggling with.

2 MS. DAVIS: Sure.

3 MS. ZOOK: But isn't that what it means when it
4 says teacher or staff?

5 MS. DAVIS: Well -- Jennifer Davis, staff
6 attorney for the Department. And this one is a
7 tricky situation because it is a special needs
8 student. And if services, even if that does mean it
9 is staff, is required as a requirement under an IEP,
10 which -- again, I apologize for coming in late; I was
11 in another meeting. But I believe that this -- an
12 aid was determined that it was needed in an initial
13 IEP evaluation. So if services are determined as
14 needed, then cost is not a factor because you can't
15 say a child is going to cost too much money because
16 they need a nurse or something of that nature.
17 Usually, you see it in regards to a self-contained
18 classroom when it would require either the building
19 of a new classroom --

20 CHAIRMAN BARTH: Right.

21 MS. DAVIS: -- or an actual teacher. But you
22 can't say that services themselves are going to cost
23 too much, and therefore we can't do that if it's
24 required under IEP. But it would be up to you to
25 determine whether or not the aid that is going to be

1 needed would be a service or would be considered
2 staff, because it could be considered differently.

3 CHAIRMAN BARTH: Uh-huh.

4 MS. DAVIS: Does that help?

5 CHAIRMAN BARTH: It does, it does. And just to
6 clarify, to pick up on this, if another student
7 arrives at Elkins, who lives in the Elkins district,
8 needs a paraprofessional for -- along the lines of
9 this, that would have to be required by the Elkins
10 district because of their IEP; correct?

11 MS. DAVIS: That is correct.

12 CHAIRMAN BARTH: Okay.

13 MS. CHAMBERS: I'm sorry; could you repeat the
14 question one more time that she just said yes to?

15 MS. DEDMAN: My understanding is that he's
16 asking if a second Elkins student who also needed a
17 paraprofessional aid also tried to apply for school
18 choice in the district would that also have to be --

19 CHAIRMAN BARTH: No. Someone who lived in the
20 district already.

21 MS. DEDMAN: In the district already would they
22 -- that would have to be in the IEP the need for the
23 paraprofessional. And the answer is yes, that would
24 be required by the IEP.

25 MS. DAVIS: Much like you'll see -- like if --

1 even in a general capacity type issue, if you say you
2 can't school-choice in because my classrooms are full
3 and I'd have to add teachers, but all of a sudden you
4 had 20 kids move into your district, you have to add
5 teachers because those are your students in your
6 district. So in the event that an Elkins student
7 that is legally entitled to attend Elkins needed an
8 aid, then the district would be under the obligation
9 to add that aid regardless of that cost.

10 CHAIRMAN BARTH: Ms. Reith.

11 MS. REITH: If I could ask a follow-on question
12 to that, I got a little bit confused because my
13 understanding the parents were not at the IEP and so
14 they were wondering if -- did I understand that
15 correctly, or were you there? And then this
16 understanding or your assertion that you didn't think
17 your child would need an additional aid?

18 MS. GILBERT: We actually never had an IEP
19 meeting with Elkins.

20 MS. REITH: Okay.

21 MS. GILBERT: It was scheduled for Wednesday,
22 then they canceled on Monday because they denied the
23 school choice.

24 MS. REITH: And that was my understanding.

25 MS. GILBERT: And so --

1 MS. REITH: So then how was it determined that
2 they needed an aid?

3 MS. GILBERT: I don't know. Because they told
4 us in the transition meeting that that would be
5 talked about and figured out during the IEP, when
6 they write that. So I don't know who sat down and
7 said, "Yes, he does."

8 MS. REITH: So then I guess my question is for
9 the superintendent of the Elkins School District.
10 From your understanding, how was it determined that
11 an aid would be needed?

12 SUPT. JORDAN: My understanding is from the
13 first transition conference that happened late March.
14 I'm not sure of the exact date. Prior to spring
15 break, that the team from the Richardson Center,
16 along with the team -- our educational team at
17 Elkins, in addition to the document from the psych
18 eval, all stated that their recommendation of those
19 three different factions were that this child would
20 need additional support in the form of an aid when he
21 enrolled in kindergarten.

22 MS. REITH: But that was a consultation, not
23 actually an IEP; is that correct? And I apologize
24 for the nuance here.

25 SUPT. JORDAN: That's fair.

1 MS. REITH: I guess I'm just trying to --

2 SUPT. JORDAN: No, that's fair.

3 MS. REITH: -- make sure I understand.

4 SUPT. JORDAN: That was not an actual IEP
5 conference.

6 MS. REITH: Okay.

7 SUPT. JORDAN: That was a transitional
8 conference --

9 MS. REITH: Okay.

10 SUPT. JORDAN: -- which the Center, the Evonne
11 Richardson Center sets up for all the students as
12 they transition into formal regular school. And that
13 was -- that's what happened in March --

14 MS. REITH: Okay.

15 SUPT. JORDAN: -- when no one knew --

16 MS. REITH: And it's off that recommendation,
17 but technically an IEP has not taken place?

18 SUPT. JORDAN: That's correct.

19 MS. REITH: Am I understanding that correctly?

20 SUPT. JORDAN: And the psych eval I understand
21 was subsequent to that as well, that they -- that my
22 LEA associate supervisor now has. That's correct.

23 MS. REITH: So, thank you so much.

24 SUPT. JORDAN: Thank you.

25 MS. REITH: Thank you. I know we're grappling

1 here as I think you've probably seen on some of our
2 faces.

3 So, Ms. Dedman, then -- or if you could answer
4 then: so there hasn't been an IEP; so then how in
5 this case do we treat this transitional consultation
6 and that -- you know, the finding there that an aid
7 or a suggestion or the recommendation there that an
8 aid might be necessary? And I guess right now it's a
9 "might?"

10 MS. SALAS-FORD: Yes.

11 MS. REITH: Okay.

12 MS. SALAS-FORD: Courtney Salas-Ford for the
13 Department. So when a student is going from
14 preschool into a public kindergarten they're required
15 to have a transition meeting in the spring to talk
16 about what services and supports that student might
17 need upon entering in the fall. It's not a formal
18 IEP meeting. An IEP meeting is not developed. It's
19 kind of a preparation for the incoming school
20 district so that they know what they might need to
21 get prepared. So in this case -- and again I'm just
22 talking in general -- it sounds like in this case
23 they had the transition meeting, and the
24 recommendation of the early childhood provider and
25 others involved was that he might need a

1 paraprofessional. And jumping a little bit back to
2 Dr. Barth's question earlier, which under IDEA is a
3 related service -- under state law, it talks about
4 staff but does not provide a definition for staff.
5 So it really is up to you as the Board to determine
6 are we considering this a service or staff.

7 Now going back to -- so if the school was to
8 accept the school choice they would have to have a
9 formal IEP meeting, including the parents, and as a
10 team decide whether that student did need a
11 paraprofessional or not.

12 MS. REITH: Thank you.

13 MS. NEWTON: Dr. Barth, can I just ask one more
14 question on this?

15 CHAIRMAN BARTH: Yes.

16 MS. NEWTON: So the parents are not included in
17 the transitional meeting; is that correct?

18 MS. SALAS-FORD: Traditionally, they are. I
19 can't speak to why they were not in this case.

20 MS. NEWTON: Okay.

21 CHAIRMAN BARTH: But you were --

22 MS. GILBERT: Yes.

23 MS. NEWTON: Oh, they were there. Okay.

24 CHAIRMAN BARTH: They were.

25 MS. NEWTON: Okay.

1 MS. REITH: But you didn't concur with the -- so
2 sorry. But you didn't concur then with the finding
3 that an aid would be necessary?

4 MS. GILBERT: They told us that --

5 MS. REITH: Can you come to the mic? I
6 apologize.

7 CHAIRMAN BARTH: Yes, come to the microphone.

8 MS. REITH: It's for the purpose of public
9 record.

10 MS. GILBERT: They told us that we would meet
11 again later and actually do more testing and then
12 determine. Because she sat there with him for like
13 10 or 15 minutes after the meeting was over and
14 talked with Jeb and did a few little evaluations
15 there, but that was all that they actually did as far
16 as evaluations.

17 MS. ZOOK: Does he currently have his own
18 paraprofessional aid?

19 MS. GILBERT: No.

20 MS. ZOOK: Okay. So it would be highly unusual
21 for a person doing psychological or battery of tests
22 to make that recommendation. Maybe the service
23 providers, the teachers, those kind of people, the
24 parents, the people that have been working with those
25 receiving, but it would be highly unusual for

1 somebody to be able to determine that doing an
2 evaluation, particularly since -- you said he is
3 verbal; right?

4 MS. GILBERT: Right.

5 MS. ZOOK: Okay. And did they say why that they
6 were thinking he might need an aid?

7 MR. GILBERT: No.

8 MS. GILBERT: Not that I recall. No.

9 MS. ZOOK: Right. They didn't say, you know,
10 his behavior or they were just saying --

11 MR. GILBERT: No, we didn't --

12 MS. ZOOK: -- "we'll have to work on
13 transition," which sometimes moms do that of regular
14 kids going into kindergarten.

15 MS. GILBERT: Right.

16 MS. ZOOK: You know, every child is slightly
17 different, so -- okay.

18 MR. GILBERT: And there was at the transition
19 meeting and at every meeting me and my wife did say
20 to them that, you know, we are in Fayetteville School
21 District but we have a school choice form in. And so
22 that was broadcasted to --

23 MS. ZOOK: From the very beginning?

24 MR. GILBERT: Yes.

25 MS. ZOOK: Right.

1 MR. GILBERT: Yes.

2 MS. ZOOK: Okay.

3 CHAIRMAN BARTH: Great. Ms. Chambers.

4 MS. CHAMBERS: For the superintendent, just a
5 quick question. So additional staffing aside, is
6 there room for this child?

7 SUPT. JORDAN: Pardon?

8 MS. CHAMBERS: Additional staffing aside, if
9 there were no additional staffing required, is there
10 room for this child in your choice count?

11 SUPT. JORDAN: Yes, ma'am, there would be room.

12 MS. CHAMBERS: Okay. Thank you.

13 SUPT. JORDAN: Yes, ma'am.

14 CHAIRMAN BARTH: Thank you. Do you have --

15 SUPT. JORDAN: I was just going to reference --
16 and it's part of what I didn't share with you,
17 because I don't think it's appropriate through FERPA.
18 But if it's appropriate for me to read the very last
19 -- the recommendation, it's one sentence long, from
20 the eval. that I referenced earlier?

21 CHAIRMAN BARTH: But it does not reference
22 specific attributes of the student?

23 SUPT. JORDAN: I wasn't going to share that
24 part.

25 CHAIRMAN BARTH: Okay.

1 SUPT. JORDAN: But there's a -- what the -- the
2 recommendation at the end -- it lists the student by
3 name -- "will probably need support in kindergarten
4 and appears to qualify for services under the
5 disabling condition of autism."

6 CHAIRMAN BARTH: Okay. Ms. Zook.

7 MS. ZOOK: But they didn't define "support?"

8 SUPT. JORDAN: It's not defined in -- well, it's
9 -- it didn't define the support but it told of the
10 issues requiring the additional service.

11 MS. ZOOK: Okay.

12 CHAIRMAN BARTH: Does everybody feel they have
13 clarity about the issue?

14 Okay. Then we're ready to move to a motion?

15 MS. DEDMAN: Yes.

16 CHAIRMAN BARTH: Okay. So the motion -- proper
17 motion is either to accept the waiver request or
18 reject the waiver request -- or grant the appeal or
19 deny the appeal.

20 MS. DEDMAN: Right.

21 CHAIRMAN BARTH: Apparently I said it wrong.
22 Okay. Grant the appeal or deny the appeal.

23 MS. NEWTON: I struggle with this because I have
24 a good understanding of administration and finances
25 and difficulties with that. But I also look at this

1 as being a service to the child and what the child
2 needs. And with that, I move that we grant the
3 appeal.

4 MS. REITH: I'll second that.

5 CHAIRMAN BARTH: Okay.

6 MS. ZOOK: Discussion?

7 CHAIRMAN BARTH: Yes. So, motion by Ms. Newton,
8 second by Ms. Reith.

9 Further discussion, Ms. Zook?

10 MS. ZOOK: Okay. I'm going to sound opposite of
11 what everybody is expecting me to say. But I'm
12 wondering if in the Fayetteville school, that being
13 -- everything being the same except it's not in
14 Gilbert and they're already --

15 CHAIRMAN BARTH: Elkins.

16 MS. ZOOK: Elkins. Sorry. You're the Gilberts;
17 I apologize. How embarrassing. That they are
18 accepting of him, they do have aids already, they're
19 already used to working with probably more kids, you
20 know, with a variety of special needs. What I'm
21 wondering is, taking all that into account, are you
22 still wishing for us to consider the transfer to
23 Elkins?

24 MS. GILBERT: (nodding head up and down.)

25 MR. GILBERT: Yes.

1 MS. REITH: And, Ms. Zook, if I might respond
2 and kind of prove in this seven-year journey we take
3 each other's position; right? Both of us are
4 probably taking unexpected positions in this regard.
5 But I'm -- what I think I'm compelled with in this
6 case is it's the rights of a special needs child and
7 it's not really, you know, up to any district to say
8 "we're not going to take somebody because of special
9 needs" -- and especially for me in this case because
10 it's a "might." We don't actually know the full --
11 an IEP has not been done and we haven't had the full
12 assessment at this stage of what are going to be the
13 needs. And Elkins being my neighbor, and a lot of
14 friends that actually live right next to y'all, I'm
15 sure out there, they're in those farms, I can
16 appreciate -- it's not a one-size-fits-all. And I
17 trust the instincts of the parents on this specific
18 regard, so --

19 CHAIRMAN BARTH: Ms. Chambers?

20 MS. CHAMBERS: I just wanted to make a comment
21 and signal my own vote is going to go towards an
22 approval of the appeal. But I want to give my
23 sympathy to the district; you've acknowledged this
24 could've been handled a little bit differently, which
25 probably made a tough situation tougher. But I also

1 think this latitude that we have in going kind of
2 back and forth between services and staff would be
3 confusing, I mean, because they're being asked to be
4 very thoughtful about staffing and expense management
5 and I think -- so I credit that, of course. But my
6 own response is to the individual child in what will
7 hopefully help this individual child in terms of the
8 district that's been appealed for.

9 CHAIRMAN BARTH: Ms. Zook.

10 MS. ZOOK: I can also clarify a little bit that
11 the sort of steps that you take is a child is given
12 an opportunity to succeed in the absolute least
13 restrictive setting, which would be with no aid or
14 that kind of thing. And then if that's seen as
15 needed, gradually move into more and more what's
16 called restrictive setting till you get to the -- for
17 an appropriate education. But you don't just
18 automatically assume because of a handicap or an age
19 or a past history that they're going to still need
20 all of those things. It's up to the district to
21 start in the least, whether it be service or setting
22 or whatever, and then gradually move there. So, you
23 know, what they'll need or not probably you won't
24 know until school gets started or -- you know, and
25 they've worked for a little while.

1 CHAIRMAN BARTH: All right. If there's not
2 further discussion, I'll call for a roll-call on this
3 one.

4 COMMISSIONER KEY: Okay. On the motion to grant
5 the appeal -- Ms. Reith.

6 MS. REITH: Yes.

7 COMMISSIONER KEY: Ms. Zook.

8 MS. ZOOK: Yes.

9 COMMISSIONER KEY: Ms. Chambers.

10 MS. CHAMBERS: Yes.

11 COMMISSIONER KEY: Dr. Hill.

12 DR. HILL: Yes.

13 COMMISSIONER KEY: Ms. Newton.

14 MS. NEWTON: Yes.

15 COMMISSIONER KEY: Mr. Black.

16 MR. BLACK: Yes.

17 COMMISSIONER KEY: Six yea's, zero nays.

18 CHAIRMAN BARTH: Well, great. Congratulations
19 to the Gilbert family. Thank you for your dedication
20 to Jeb. And safe travels to everyone and thanks for
21 being here.

22 B-1: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
23 CHARTERS

24 CHAIRMAN BARTH: All right. I'll remind you
25 that Item 8 from this morning was pulled. So that

1 moves us finally to the afternoon agenda and our up
2 -- first up is a series of Act 1240 waiver requests,
3 and Ms. McLaughlin will take the lead on this.

4 (a) HIGHLAND SCHOOL DISTRICT

5 MS. McLAUGHLIN: Good afternoon. Kelly
6 McLaughlin, Charter School Office. The first item is
7 action item B1(a) for Highland School District. And
8 we have Act 1240 of 2015 allows a school district to
9 petition the State Board of Education for all or some
10 of the waivers granted to open-enrollment public
11 charter schools that serve students who reside in the
12 school district. And representatives of the Highland
13 School District are appearing before the Board with a
14 petition for waivers. The District will have 20
15 minutes to make their presentation, and if there are
16 -- if there is anyone here for opposition they will
17 also have that amount of time, as well. And then the
18 District will have 5 minutes to respond before the Q-
19 and-A session begins.

20 Their topic, they are here to request waivers
21 over Library Media licensure and their 90 days will
22 expire on August 6, 2018, and they are requesting for
23 five years.

24 CHAIRMAN BARTH: Great.

25 MS. McLAUGHLIN: Okay.

1 CHAIRMAN BARTH: And so if the folks from the
2 Highland District will stand and raise your right
3 hand to be sworn. Do you swear or affirm that the
4 testimony you're about to give shall be the truth,
5 the whole truth and nothing but the truth?

6 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

7 CHAIRMAN BARTH: Great. As you heard, you have
8 up to 20 minutes to make your case.

9 MS. McLAUGHLIN: Mr. Don Sharp, the
10 superintendent, will be begin the presentation.

11 CHAIRMAN BARTH: Great. Thank you, Mr. Sharp.

12 SUPT. SHARP: Thank you, Ladies and Gentlemen.
13 My name is Don Sharp; I'm the superintendent of the
14 Highland School District. And I'm here today to
15 request an Act 1240 waiver regarding licensure for
16 Library Media Specialist.

17 I'll just give you a little bit of background
18 about Highland School District. We are a rural
19 school district in north central Arkansas. At the
20 end of this most recent school year our enrollment
21 was approximately 1640 students, grades K through 12.
22 We have a free-and-reduced lunch eligibility of
23 approximately 74%, so we are a relatively poor
24 district as far as that goes. We are approximately
25 an hour-and-a-half away from the nearest four-year

1 university, which is Arkansas State University in
2 Jonesboro. So as a result of this, sometimes it
3 becomes difficult to obtain a significant number of
4 applicants for positions because we don't have the
5 local people graduating with those degrees like
6 someone, say, closer to the Jonesboro area might.

7 Just a little bit of history on our Library
8 Media staffing. At the end of the 2015-16 school
9 year -- and this was prior to my term as
10 superintendent at Highland -- all three campuses,
11 which is Cherokee Elementary School, Highland Middle
12 School, and Highland High School -- all three Library
13 Media positions turned over. The high school Library
14 Media Specialist retired, the middle school Library
15 Media Specialist retired, and the Cherokee Elementary
16 Library Media Specialist as per her request was
17 reassigned to the middle school. The high school
18 position was filled in-house. And, again, I was not
19 there when this took place; this is information
20 that's been given to me. And the -- but for the
21 elementary Library Media vacancy, there was not any
22 adequate, I guess in the consideration of the
23 previous superintendent, applicants for the position.
24 So she hired or recommended to the board and the
25 board hired a lady named Sarah McClure -- and Sarah

1 is here with us today.

2 Sarah has a Master's degree in Library Science.
3 She does not have an education degree, nor does she
4 have an education license. It was the assumption of
5 the previous superintendent that she would be
6 eligible for licensure through the alternative
7 licensure program. This was a false assumption,
8 unfortunately. When we started working on our
9 accreditation documentation that Fall to submit to
10 the State and I realized that she did not have a
11 proper alternative licensure plan filed, and we
12 proceeded to try to file that as we -- most every
13 school does when they -- it's necessary to hire
14 someone out of licensure area, we found out that she
15 was not eligible to participate in the alternative
16 licensure program, nor was she eligible for the APPEL
17 program. So we started scrambling, what can we do,
18 and under the advice of the Department of Education
19 Licensure Division I was informed that my only option
20 at that point would be to register her as a long-term
21 substitute for the rest of that school year. It was
22 obvious she knew what she was doing. I can tell you
23 that Ms. McClure has 13 years experience working in
24 the Central Arkansas Library System, she has 8 years
25 as manager of the Dee Brown Library in southwest

1 Little Rock, and she opened the Hillary Rodham
2 Clinton Children's Library and Learning Center here
3 in Little Rock in 2013. So she served out that year
4 as a long-term substitute. In the meantime she was
5 working with University of Central Arkansas, trying
6 to see what she could do to get into some type of
7 program where she might could obtain a license. And
8 she did a great job; the administrators in the
9 elementary school, the teachers, the parents all told
10 me how much -- how proud they were where our library
11 system had come from where it had been previously.
12 And it was obvious that it was important for our
13 students, if we could, to try to keep Ms. McClure on
14 as our Library Media Specialist. But, once again, up
15 against a wall and she was not eligible. All she
16 could do was enroll in the teacher education program
17 through the University of Central Arkansas and pursue
18 a license, an initial license in middle school
19 education, which she has done. And she's completed
20 15 hours in that direction but she's still several
21 college classes away from doing that, and even then
22 she won't have a Library Media license. She will
23 have a middle school license and then she will have
24 to pursue the Library Media license through the
25 alternative licensure program. So it's a long -- a

1 long process for her to get to that point.

2 Sarah at this -- so when we came down to the 17-
3 18 school year I was informed by the Department's
4 Licensure Division that they did have the authority
5 to grant a second year as a long-term substitute. So
6 I made that application, it was granted, and she has
7 just completed her second year as a long-term
8 substitute. There is no third year eligibility.

9 So today I just stand here before you saying for
10 the sake of 600 students in Cherokee Elementary
11 School at Highland I would ask that you please
12 consider granting this waiver. It is a waiver that
13 is held by the Arkansas Virtual Academy. We have
14 students in our district that attend -- that take
15 courses through the Arkansas Virtual Academy. We
16 have students enrolled in the Highland School
17 District that take classes through Arkansas Virtual
18 Academy. And, again, it is a waiver that they have
19 been granted.

20 I also have folks here from -- representing our
21 elementary school, including Ms. McClure herself. If
22 you have any questions, they can talk a lot more and
23 a lot more in detail about where our library program
24 is now compared to where it was before. Thank you.

25 CHAIRMAN BARTH: Thank you, Mr. Sharp. We'll

1 see what questions we have.

2 Ms. Cochran, do you have a question?

3 MS. COCHRAN: I just want to say it's a really
4 exciting opportunity for those students. The Library
5 Media Specialist is the gatekeeper to the world for
6 many students. It's just really exciting.

7 CHAIRMAN BARTH: Okay. Ms. Newton?

8 MS. NEWTON: Is Dr. Owoh still in here?

9 CHAIRMAN BARTH: He's over there.

10 MS. NEWTON: He's going to hate me before I'm
11 through.

12 COMMISSIONER KEY: I think he's trying to get an
13 answer to your question before you ask it.

14 DR. OWOH: Jeremy Owoh, Educator Effectiveness.
15 That's correct, I was, Commissioner.

16 Yes, ma'am?

17 MS. NEWTON: And, Dr. Owoh, please don't hate
18 me; okay? All right. This morning we talked about
19 the critical shortages. Library Media is one of
20 them.

21 DR. OWOH: Yes, ma'am.

22 MS. NEWTON: And it just seems to me a shame
23 that someone with a master's degree in Library Media
24 can't -- is going to have to go through, you know,
25 going and getting a middle school certification, and

1 then going back and trying to get a Library Media
2 certification. Is there not some way that we can
3 fill in this gap somehow or another to address this?
4 Because, you know, a Master's in Library Science to
5 me shows that, you know, she's got it and then maybe
6 we could fill in some classes. But that seems like a
7 lot of -- I don't -- hoops is probably not the right
8 word, but hoops to jump through to get that
9 licensure.

10 DR. OWOH: Currently, the answer is no. But I
11 was conferring with Melissa Jacks in our Licensure
12 Department unit to see if our emergency teaching
13 permit would permit a Library Media Specialist to --
14 someone without the license to be able to fill that
15 position. And the stipulations or the requirements
16 for the emergency teaching permit stipulate teaching
17 positions. And so we'll definitely look at that to
18 see if that would work. But that would only be
19 approved for a year with the option for an additional
20 two years, so it really wouldn't be a long-term fix.
21 Now what we could also do is look at -- yeah, we
22 would have to look at rules being changed to really
23 look at that because right now Library Media
24 Specialist is an endorsement, so you would already
25 have to have a license to add that one. But I'm

1 going to ask Ms. Jacks to come up.

2 MS. JACKS: Melissa Jacks and I'm the
3 coordinator for Educator Licensure. There are some
4 things that we could look at in the future for doing,
5 but right now there's not a way for you to get
6 Library Media in any other way but as an endorsement.
7 We have created some ways within the rules that we
8 could do ancillary licenses, and we can look at that
9 -- and that may be what we want to do with Library
10 Media, to be honest, is look at that and see if
11 that's viable. We have thought about that already.
12 But that's where we stand right now.

13 MS. NEWTON: Okay. You know, I encourage -- you
14 know, I have -- I was thinking it was on the license;
15 I didn't realize it was just an endorsement. But
16 anyway, I encourage us -- I mean, with it being a
17 critical shortage -- but then we're trying to make
18 them go through all these different steps and she's
19 already got a master's -- I think that's an area we
20 really need to take a look at.

21 MS. JACKS: We will do that. Thank you.

22 CHAIRMAN BARTH: And I wholeheartedly agree with
23 Ms. Newton. And when Ms. McClure reached out to me I
24 was befuddled by this case and -- but I think we've
25 learned some lessons and I think we need to make some

1 smarter decisions about the use of really talented
2 people in this state.

3 MS. NEWTON: Yes, absolutely.

4 CHAIRMAN BARTH: Great. Ms. Zook?

5 MS. ZOOK: (shaking head from side to side)

6 MS. REITH: Just a clarifying question. It
7 could be for the Department or the District. The
8 number of years for this waiver, was that stated?

9 CHAIRMAN BARTH: It's five.

10 MS. REITH: Five. Okay. Just double-checking.
11 Thank you.

12 CHAIRMAN BARTH: Okay. Ready for a motion?
13 Oh, first off, is there any opposition?

14 MS. McLAUGHLIN: No opposition.

15 CHAIRMAN BARTH: All right. Ready for a motion.

16 MS. NEWTON: I move we grant the waiver.

17 DR. HILL: Second.

18 CHAIRMAN BARTH: Motion by Ms. Newton, second by
19 Dr. Hill.

20 All those in favor say "aye."

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRMAN BARTH: Opposed, same sign.

23 Congratulations. Thank you for your dedication.

24 Thank you, Ms. McClure. Thanks to everybody else for
25 coming in from Highland this morning. Thank you.

1 (b) FORDYCE SCHOOL DISTRICT

2 CHAIRMAN BARTH: All right. Next up is an
3 additional Act 1240 waiver, and this is the Fordyce
4 case.

5 MS. McLAUGHLIN: We have representatives from
6 Fordyce School District appearing before the Board
7 with a petition for waivers for Teacher Licensure
8 today. Their 90 days expires on August 19th, and
9 they are asking for five years. We have Dr. Judy
10 Hubbell, the high school principal/incoming
11 superintendent, and Rhonda Lawson, elementary
12 principal and federal programs coordinator. And you
13 will want to swear them in.

14 CHAIRMAN BARTH: Great. Thank you.

15 Will those folks from Fordyce who plan to speak
16 this afternoon, if you'd raise your right hand? Do
17 you swear or affirm that the testimony you're about
18 to give shall be the truth, the whole truth and
19 nothing but the truth?

20 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

21 CHAIRMAN BARTH: All right. Please continue.
22 Come on up and -- Dr. Hubbell, right?

23 DR. HUBBELL: Yes. Thank you. Yes, I'm the
24 superintendent-elect of the Fordyce School District.
25 Ms. Rhonda Lawson is our elementary principal; Nicole

1 McGhee is our elementary counselor and a local
2 minister in the Fordyce area.

3 The Fordyce School District is located in south
4 central Arkansas, and it is a little town that has
5 been devastated economically when Georgia Pacific
6 closed down a plywood mill there. It is one of the
7 19 counties in the state that is losing the highest
8 percentage of population. We are located in an area
9 where there's little to attract new families for work
10 or leisure activities. The district struggles to
11 find certified teachers from this area; therefore,
12 the rate of teacher turnover is great due to new
13 teachers commuting into town to take an available job
14 and then moving away as soon as a position closer to
15 home becomes available. Another problem that we have
16 is that the surrounding school districts all pay more
17 than we do. So we really struggle to find certified
18 teachers.

19 In our mission to provide the best education for
20 our students we recognize that the most important
21 factor in student achievement is the quality of the
22 teacher in the classroom. Our recruiting efforts in
23 hiring have been focused on getting the best and most
24 qualified teachers possible for our students. That
25 challenge has become increasingly more difficult as

1 the numbers of traditionally trained teachers has
2 declined in our state, and more specifically our
3 region of the state. Despite the many efforts taken
4 by our district, the need for certified teachers with
5 content knowledge and appropriate licensure to teach
6 the subject area remains great. Therefore, the
7 Fordyce School District seeks a waiver under Act
8 1240.

9 As the number of candidates has declined, our
10 district has tried to combat the problem through
11 aggressive recruiting efforts. These efforts include
12 job fairs at SAU and Henderson State Universities,
13 advertisements in the local newspapers and on the
14 school's main website. The surrounding universities
15 have been very helpful to us in finding teachers, but
16 they're all under alternative certification programs
17 and there are some problems with that.

18 We know that salary influences college graduates
19 and where they go to work, and our district began in
20 the 2017-2018 school year offering a \$1500 sign-on
21 bonus. We also give an additional \$2500 yearly
22 stipend for critical needs areas of math, science,
23 and special education.

24 Over the past few years, we have increasingly
25 relied on candidates in alternative licensing

1 programs to fill our vacancies. Unfortunately, this
2 is compounding our problem of keeping continuity in
3 our curriculum and impacting the culture of our
4 school. Although we've had some success finding
5 candidates through the APPEL and MAT programs, often
6 those teachers we have recruited have no ties to our
7 part of the state and leave after their certification
8 requirements are complete.

9 Teachers hired under this waiver would have a
10 plan to seek alternative licensure. The school
11 district believes that we have resources in place to
12 support a teacher with high content knowledge but
13 little educational experience. We have math and
14 literacy specialists through E2E Consulting in each
15 building and they do a tremendous job for us. These
16 specialists bring expertise and content and serve as
17 a resource for teachers on a daily basis in the
18 classroom.

19 Despite the efforts taken by our district, the
20 need for certified teachers with the content
21 knowledge and appropriate licensure to teach in the
22 subject area remains great. We therefore request
23 this Act 1240 waiver regarding Teacher Licensure for
24 a period of five years which affords us the ability
25 to fill a vacant position under the guidance of the

1 Arkansas Qualified Teacher stipulations. And I would
2 also like to add that we are 100 percent free and
3 reduced lunch, and this past school year we had to
4 rely on long-term subs for the entire year in a
5 couple of areas. I can't begin to tell you how hard
6 we struggle to find qualified teachers. We have come
7 a long way in the past four years. We have gone from
8 being in academic distress to our high school getting
9 some state rewards money. But to keep going in the
10 right direction we really need this waiver and I hope
11 that you all can see fit to grant that to us.

12 CHAIRMAN BARTH: Thank you.

13 Is there any opposition? Ms. McLaughlin, I
14 assume no opposition?

15 MS. McLAUGHLIN: I'll go check.

16 CHAIRMAN BARTH: Okay. Thank you.

17 MS. McLAUGHLIN: No, sir.

18 CHAIRMAN BARTH: No. All right.

19 I'll see questions -- I'll start with Ms. Reith.
20 Any questions?

21 MS. REITH: Most definitely. Thank you for your
22 presentation, and please know how deeply we empathize
23 with your situation. Obviously we've considered
24 quite a few of these since my time here on the State
25 Board. I guess my main question to you, as of late I

1 feel most frequently when we get these waivers it's
2 when a school district has in mind to hire some
3 specific teachers. Do you all have individuals that
4 you've interviewed that would immediately benefit
5 from this?

6 DR. HUBBELL: Yes.

7 MS. REITH: And if you can kindly come to the
8 mic. I'm sorry; it's for the public record. Thank
9 you.

10 DR. HUBBELL: I will let Ms. Lawson --

11 MS. REITH: Thank you so much.

12 MS. LAWSON: I'm Rhonda Lawson, Fordyce
13 Elementary principal and federal programs
14 coordinator. Yes, I had two long-term subs last year
15 in my building. It was my first year being principal
16 last year. I had a 4th grade teacher; she has a
17 degree, a general studies degree from a university,
18 and she hadn't gotten in a program. But she's in the
19 ABCTE program right now but has not finished it, so
20 this waiver would help us be able to hire her. And
21 she worked for us for long-term sub pay, attended
22 every meeting I asked her to go to, she never missed
23 a day of school. And I have a 5th grade teacher, a
24 literacy teacher, the same thing. So these -- it
25 would greatly help us. They have -- they're from the

1 community. The 4th grade teacher lives about 15
2 minutes away; the 5th grade teacher is -- she lives
3 in Fordyce. So they have ties with the community and
4 I really believe they would stay.

5 MS. REITH: Fantastic. And then this question
6 -- thank you so much. This question is for the
7 superintendent, just wanting to make sure all
8 teachers are aware that you've come forth --

9 DR. HUBBELL: Yes.

10 MS. REITH: -- for this waiver?

11 DR. HUBBELL: Yes.

12 MS. REITH: And no concerns have been expressed
13 by the community?

14 DR. HUBBELL: No.

15 MS. REITH: Teachers or --

16 DR. HUBBELL: No.

17 MS. REITH: -- members of your community?

18 DR. HUBBELL: No. We have really put forth an
19 effort to find local people who have a stake in the
20 community and who want to be there, rather than just
21 finding a school that has the best salary, and we've
22 had some success with that. People who have children
23 in the district, who live in the district, that have
24 family there, they're just going to do a better job
25 for you.

1 MS. REITH: The grow-your-own.

2 DR. HUBBELL: Yes. That's kind of what we've
3 done. We talked about this at our district and
4 campus leadership meetings. I think that really
5 we've had a lot of community support for it. I feel
6 good about that.

7 MS. REITH: Okay, wonderful. Thank you so much.

8 CHAIRMAN BARTH: Ms. Zook?

9 MS. ZOOK: Other than Sheridan, what are the
10 other districts around you that pull staff?

11 DR. HUBBELL: Rison, Bearden, Warren -- well,
12 Hampton and Malvern are fairly close to Camden. Yes.

13 MS. ZOOK: Thank you.

14 DR. HUBBELL: We're in one little corner of
15 Dallas County.

16 MS. ZOOK: Yeah.

17 DR. HUBBELL: We're about 30 minutes from
18 Warren.

19 MS. ZOOK: I know Fordyce well and the Lyon
20 family, so --

21 DR. HUBBELL: Okay. Okay.

22 CHAIRMAN BARTH: Anything else?

23 MS. ZOOK: No.

24 CHAIRMAN BARTH: All right. Ms. Chambers?

25 MS. CHAMBERS: I'm sure you said this. This is

1 a five-year waiver that you're requesting?

2 DR. HUBBELL: We're asking for that, yes, ma'am.

3 MS. CHAMBERS: And sometimes our discussions
4 tend towards -- tend away from core courses that
5 we're talking about this waiver being most applicable
6 to. But given the circumstances you've described,
7 are you assuming and asking that it be applied for
8 any subject where you had difficulty finding a
9 certified teacher?

10 DR. HUBBELL: Yes, ma'am, we are. We use
11 Virtual Arkansas quite a lot but I think there's no
12 substitute for having that hands-on teacher,
13 especially with math and science classes.

14 MS. CHAMBERS: Okay.

15 DR. HUBBELL: Just as someone who's been in
16 education for 37, 38 years, I just don't think
17 there's any substitute for the hands-on. And that is
18 not to say we don't appreciate Virtual Arkansas; we
19 use them extensively. They have this waiver and many
20 of our students are served by them.

21 CHAIRMAN BARTH: Ms. Newton? Ms. Cochran?

22 MS. COCHRAN: I'd love to know how you feel the
23 culture and the climate in the schools in Fordyce are
24 affecting your recruitment and your retention. I'd
25 also like to know how you're utilizing teacher

1 leaders to retain your teachers.

2 DR. HUBBELL: We have a young man who's just
3 been hired as the high school principal. He and the
4 high school counselor go to all the job fairs. They
5 do it on their own; nobody has made them do it. They
6 have a good presentation. We joke all the time about
7 Fordyce is the best kept secret in the state, but it
8 really is a great place to work -- and when we get
9 someone who sees what a wonderful place that is to
10 work we can usually keep them. But many times these
11 alternative certification people just get a job until
12 they get their certification, then they move on. We
13 have slowed down our turnover quite a bit, but I'd
14 like to slow it down even more because we need that
15 continuity; we need the kids to know that from year
16 to year. We don't need to keep bringing in a bunch
17 of rookies; we need to have stability.

18 MS. COCHRAN: I'd just like to highly recommend
19 taking those teachers that are likely to move on and
20 getting them in some sort of a leadership role.

21 DR. HUBBELL: We have done that, yes. And I
22 have -- I've kind of made it my mantra to let's be
23 positive; let's look at what we have and what we
24 don't have -- instead of what we don't have. And I
25 guess that's just human nature in a lot of ways. But

1 we have a lot of good things going and we have made a
2 lot of progress in the last four or five years, but I
3 want us to keep moving in the right direction and
4 this waiver would help us to do that. And I would
5 appreciate it so much if you all would grant us that.

6 CHAIRMAN BARTH: Okay. Additional questions,
7 comments?

8 A motion is in order.

9 MS. ZOOK: I move that we grant the waiver.

10 MR. BLACK: I second.

11 CHAIRMAN BARTH: Motion by Ms. Zook, second by
12 Mr. Black.

13 All those in favor say "aye."

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN BARTH: Opposed, same sign.

16 All right. Congratulations. Thank you.

17 DR. HUBBELL: Thank you so much.

18 CHAIRMAN BARTH: Good luck. Good luck with your
19 work.

20 Okay. How's everybody doing?

21 MS. CHAMBERS: So far, so good.

22 (c) OSCEOLA SCHOOL DISTRICT

23 CHAIRMAN BARTH: Okay. We have a series of
24 items regarding Osceola School District coming up,
25 different types.

1 MS. McLAUGHLIN: I am just doing the first one.

2 CHAIRMAN BARTH: All right.

3 MS. McLAUGHLIN: Okay. Osceola School District
4 is here to present a waiver for Teacher Licensure and
5 they have several representatives. Their topic is
6 Teacher Licensure. Their 90 days expires on August
7 29th, and they are requesting only for three years.
8 They do have a board resolution, if you are open to
9 my passing it out to you.

10 CHAIRMAN BARTH: Please.

11 MS. McLAUGHLIN: I will be glad to do that. We
12 have Alfred Hogan, the assistant superintendent,
13 Christel Smith, the STEM Academy principal, and
14 Shantele Raper, Title 1 coordinator. And Tripp
15 Walter, APSRC will be kicking off the presentation.
16 And you will want to swear all of those in, except
17 for Tripp.

18 (WHEREUPON, B1(c) Exhibit One (1) was marked for
19 identification and entered into evidence.)

20 CHAIRMAN BARTH: Okay. So anyone who is not an
21 attorney, if you'll raise your right hand. Do you
22 swear or affirm that the testimony you're about to
23 give shall be the truth, the whole truth, and nothing
24 but the truth?

25 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

1 CHAIRMAN BARTH: All right. Mr. Walter.

2 MR. WALTER: Thank you, Dr. Barth, Members of
3 the Board, Commissioner Key. My name is Tripp
4 Walter; I'm a staff attorney with Arkansas Public
5 School Resource Center. And I am proud to be here
6 today assisting the Osceola School District in its
7 request for an Act 1240 waiver -- or I should say
8 group of waivers concerning Teacher Licensure.

9 I'm going to start off the presentation today
10 and the main reason for that is as most of you, if
11 not all of you, may recall Osceola was part of the
12 group from Crowley's Ridge Educational Service
13 Cooperative last year that asked for the same package
14 of waivers. They asked for one year, as did the
15 other co-op members who participated, in the hopes
16 that Act 294 of 2017, which made extensive changes to
17 Teacher Licensure, would provide them flexibility and
18 relief going forward. And so -- and though that has
19 certainly happened, as you may have already seen in
20 the materials we've provided and in the PowerPoint
21 that there is still a very dire and pressing need in
22 Osceola which needs to be addressed and which can't
23 be addressed strictly through the use of licensed
24 teachers.

25 So I just present that as a bit of an overview.

1 If you may be wondering why Osceola is back again,
2 that is why. And hopefully you will see in the
3 materials the severity of the need and Mr. Hogan will
4 address that here in a moment.

5 I would also take a moment to say that
6 Superintendent Michael Cox was unable to be here
7 today. Mr. Hogan is the assistant superintendent,
8 and as of July 1st he will be the superintendent of
9 the Osceola School District. And in the several
10 years he has already been at the district he has
11 worked extensively in this area.

12 We are asking for a waiver request of three
13 years, as you will see in the materials. We tried to
14 craft that carefully not to ask any longer than the
15 folks at Osceola felt was necessary in order to
16 address the needs. I think one thing that hopefully
17 you will notice in the materials and in the
18 PowerPoint, which you have copies of, is I believe
19 Osceola has taken extensive measures to try and
20 handle this themselves so-to-speak without having to
21 come back to you. You'll see in the materials the
22 extensive advertising efforts that have taken place,
23 the recruitment efforts, and also the programs that
24 Osceola has taken the initiative to start, including
25 payment of bonuses to try and, much as Fordyce said

1 before us, to grow local teachers and bring -- keep
2 local teachers in the area, or if they are away to
3 bring them back home.

4 I would also -- and Mr. Hogan can speak more to
5 this -- in light of Act 294, the district -- I think
6 Mr. Hogan, in particular, has had discussions with
7 Melissa Jacks of Teacher Licensure and I know those
8 discussions will be ongoing as to the flexibility
9 that can be provided without the Act 1240 waiver.
10 It's my understanding, and I won't speak for Ms.
11 Jacks, but that she is on board with the waiver and
12 she understands the reasons why it is still necessary
13 for Osceola to come back here today.

14 And before I turn things over to Mr. Hogan, I
15 would just like to thank very much the assistance of
16 both Ms. Jacks and Kelly McLaughlin. They have been
17 extremely helpful in this process.

18 CHAIRMAN BARTH: Thanks.

19 Thank you, Mr. Hogan.

20 MR. HOGAN: To the Board, Dr. Barth,
21 Commissioner Key, as I stated, my name is Alfred
22 Hogan. We solicited the support of Mr. Walter
23 because of what he stated. We went through the Co-op
24 last year, and so we are before you again, although
25 we didn't speak last year. But we're going to speak

1 this year to, the short-term, requesting the waivers
2 for the Osceola School District. And I personally
3 don't like to talk about the delta that much because
4 I'm a product of the delta but I'm proud of it, from
5 Wilson, Arkansas. But -- and I don't like to talk
6 about the free-and-reduced lunch and poverty and all,
7 but we have to do the best we can with what we've
8 got. So Osceola School District has decided --
9 continues to decide to do, the last five years,
10 because I've been in charge of most of the recruiting
11 and interviewing and hiring staff over the years.

12 So we're just going to run through this real
13 quick as far as the importance of helping us receive
14 this waiver again. And before I go too far, which
15 it's not part of the PowerPoint by the way, we have
16 five teachers in the APPEL program right now. And
17 back in April we presented a two-and-a-half hour
18 staff development, myself and Ms. Shannon Coburn from
19 the Crowley's Ridge Co-op, to train the ones that we
20 -- y'all approved last year that we had on waivers to
21 work in the Osceola School District. And as their
22 superintendent, and incoming superintendent, I was
23 the main clog in that workshop to inform them and
24 tell them the steps we are trying to do to recruit
25 and retain our own. And all these people that we

1 have working under the waiver are local. We have
2 some that may have come from Viskase, out at the
3 chemical. We have some with a doctorate degree; of
4 course, she came through the ATC program. Benton
5 Brown started that up at Fayetteville a couple of
6 years ago. We have several in the MAT, the APPEL
7 program, the MAT again. We have some with a
8 doctorate degree. We have two -- three with the non
9 -- the original nontraditional licensure that got
10 back into the fold and are trying to work on that.
11 And along with that -- along that line we have one,
12 with the grace of the Commissioner, that it was in
13 August we needed a teacher and the young man
14 graduated from the -- well, it was Memphis State
15 then. His mother is on our board, Ms. Jacqueline
16 Baker. Her son was a full-fledged college graduate,
17 had all his credentials and all, but he just wasn't
18 certified to teach. We got permission to use him.
19 He's in the program; he's still getting certified.
20 He was one of those that I had to talk to as though
21 as I was their father or -- well, I am their boss,
22 but to tell him, "If you don't follow these steps
23 with the Co-op, you don't do the things that we're
24 requiring you from the State Department" -- and
25 that's all in the PowerPoint -- "If you don't follow

1 the things from the State Department, which is the
2 State Board, in a certain length of time, you will be
3 -- you will not be recommended for renewal." I want
4 my staff to be able to know that they're being held
5 accountable other than the school board and the
6 superintendent and administrators, the principals,
7 and Ms. Raper and the staff at Osceola School
8 District. So that's a little bit on that.

9 But as Mr. Walter explained, we're here for
10 various waivers, and mostly for the recruitment of
11 teachers and to get teachers -- and I stated that,
12 for teachers to be in our program. We want three
13 years. We will follow all the procedures, like the
14 background check, the test certification, the
15 training, to work toward licensure, which I just
16 stated. Ms. Raper helps us extensively with the
17 highly-qualified certification and AQT, the things of
18 this nature. We have various staff members
19 throughout the district that play important roles
20 with all of us. And I mentioned about all the --
21 yeah, all the requirements.

22 I want to tell you about the Mississippi delta.
23 And I would've been naïve to say that I don't like to
24 hear about it, but we have to live with what we have.
25 I'm from Mississippi County, and back in the early

1 70s we had a population of over 70,000 people. Even
2 though we have a steel mill in Blytheville and Big
3 River Steel in Osceola and the American Greeting Card
4 factory in Osceola and all, our population has still
5 dropped to 41,000 people because of the high
6 technology in farming and the farmers have moved --
7 farm laborers have moved off and things are not done
8 in the way that it used to be.

9 Go to the -- yeah, right there.

10 Right now we're advertising for jobs. And on my
11 sheet -- I scratched this off this morning -- we've
12 got the kindergartens filled; we need one 1st grade,
13 one 3rd grade, two 4th grade, 5th grade -- well,
14 we've just filled one today, so I can scratch that
15 off. I got an email on the way here. And we -- ATC,
16 Arkansas Teacher Corp is on our campus right now. I
17 forgot to tell you that. This is our second year
18 partnering with them, from the University of
19 Arkansas-Fayetteville. They -- we use -- we let them
20 use our facilities. In fact, they're using our bus
21 this summer free of charge, transportation, because
22 they have to drive from Jonesboro, where they're
23 staying in the hotel. They got a better rate in
24 Jonesboro than they could in Osceola/Blytheville. So
25 we're -- and we're feeding them. But ATC, their

1 staff is on our campus right now. In fact, Ms.
2 Smith, you interviewed two this -- two this week.
3 But that's just the scope of the staff that we need.
4 And we still don't have any applicants on math at the
5 high school, and we're trying real hard. I mean,
6 we're even meeting people in Brinkley, coming to
7 Forrest City, or go to Memphis if we have to, to sit
8 in a restaurant or somewhere to meet them. They
9 finally talked me into using Skype -- accepting
10 Skype, not that I don't mind using it because I
11 facetime my grandkids every night. But I'm old-
12 school. Like the young lady from Fordyce said, 43
13 years in this business; if I live to see July 1st,
14 it'll be starting 44, and I still have the passion
15 for it, still love it, and still want to try to do
16 what I can for the needs of the students. But Skype
17 is on the rise and we've used it this summer doing
18 some interviews. So, I'm changing a little bit.

19 Years ago, we used to stay with nothing but the
20 nontraditional teacher licensure and they would let a
21 teacher start out with a three-year opportunity to
22 get their start. But then after the end of that
23 three years, if that certification wasn't completed
24 and all, people would lose their jobs. And I commend
25 this board and Dr. Owoh and the Commissioner on the

1 advancements that we are making in trying to help
2 people, just like on the Library Media. Back 8, 12,
3 14, 15 years ago, we were just working under the
4 three-year "take that test and if you don't get it
5 and pass it." Woody Cummins, I had to come to him
6 personally to keep from firing a guy at Christmas. I
7 mean, his wife had just had a baby like in August or
8 September, but he didn't finish that test before that
9 December deadline. Woody gave him a six-month
10 moratorium to get that license and, lo-and-behold, he
11 passed that test before May and he was able to keep
12 his job. But these avenues we are trying -- we're
13 using these days are a lot more advanced. And,
14 again, I commend you on that.

15 Now the Jonesboro Sun, the Memphis papers, the
16 Arkansas Democrat Gazette, the bonuses we offer,
17 things of this nature, we're doing every opportunity
18 we can to try to recruit, retain and keep teachers in
19 the Osceola School District. The sign-on bonuses are
20 great, but sometimes if they get certified and get
21 everything -- once they get certified or get a couple
22 of years under their belt, if Jonesboro calls them or
23 Marion, 35, 38 miles down the road from Osceola -- if
24 they call them, it's gone; they're gone.

25 But we would very much like this approved if

1 it's to your liking that we are doing diligently the
2 best we can to recruit the teachers and use all the
3 rules and regulations of the school district requires
4 on our board, the Co-op, and the State Department of
5 Education. Are there any questions?

6 CHAIRMAN BARTH: Thank you, sir.

7 MR. HOGAN: I know I was talking fast but I
8 didn't want to bore you.

9 CHAIRMAN BARTH: Thank you, Mr. Hogan.

10 Ms. Cochran, anything?

11 MS. COCHRAN: I was just in Osceola a week ago
12 today, visiting with the Teacher Corp fellows, and I
13 can tell it's a beautiful, vibrant place to live and
14 teach and be a student. I agree wholeheartedly about
15 holding your new -- not just your new teachers, but
16 all teachers accountable. I commend you for that.

17 MR. HOGAN: Yes.

18 MS. COCHRAN: But let's make sure they feel
19 valued and empowered too.

20 MR. HOGAN: Oh, yes.

21 MS. COCHRAN: And do you have a teacher cadet
22 program at the high school? I know it's probably --

23 MR. HOGAN: Well --

24 MS. COCHRAN: -- tough with the teacher
25 shortage.

1 MR. HOGAN: Yes. And the community college,
2 ANC, has just phased it out because they're not
3 receiving students that are wanting to get into
4 teaching the way they want to. And speaking of that,
5 the young lady -- we have an ANC campus building on
6 our campus. And the young lady, Ms. Hart, that was
7 in charge of that had me to come speak to the
8 students twice, fall semester and spring semester,
9 trying to encourage them to get in the teaching
10 field.

11 CHAIRMAN BARTH: Ms. Newton?

12 MS. NEWTON: No questions.

13 CHAIRMAN BARTH: All right. Dr. Hill?

14 DR. HILL: Yeah. I just appreciate your
15 efforts. As you can see, it's a statewide problem,
16 and trying to use your creativity, reaching out to
17 help to try to meet the needs of students I commend
18 your efforts for that.

19 MR. HOGAN: Thank you.

20 CHAIRMAN BARTH: Ms. Chambers? Ms. Zook?

21 MS. ZOOK: I commend you for your having some
22 programs, and I know that's hard if you can't find
23 teachers. But I also commend you for -- y'all are
24 almost 4,000 above the state average in teacher pay,
25 so I would think that that --

1 MR. HOGAN: Yes, ma'am.

2 MS. ZOOK: -- helps as well. You know, I'm torn
3 because I see that many people who are -- have had --
4 not had experience teaching, and your grades are low
5 and your gaps are wide. So it's one of those things
6 when they say you can argue it flat around; you know,
7 the kids aren't going to learn at all if there's not
8 a teacher there. But I am concerned about the scores
9 of your schools --

10 MR. HOGAN: We're working --

11 MS. ZOOK: -- based on -- and can you tell me a
12 little bit what you're doing to address that?

13 MR. HOGAN: I will let these two young ladies
14 speak more to that because we're working with the
15 Arkansas Leadership Academy a lot and with the
16 Generation Ready, which are providers for our staff.
17 And they're in the trenches with the academic coaches
18 and the principals, more so than I am. I come in at
19 the end of the month -- or end of the meeting and sit
20 there on the closure and all. But they're in here
21 with the data and pulling all the records and making
22 sure that the teachers are using what they're
23 conveying to them to try to work with them. But now
24 turnover has gotten us on a lot of this --

25 MS. ZOOK: Yeah.

1 MR. HOGAN: -- why the gap is still there.

2 MS. ZOOK: Right.

3 MR. HOGAN: And like I said earlier, the several
4 that we used last year on the waiver pretty well all
5 of them are home-grown, because I count Blytheville,
6 15 miles away. We have one from Blytheville and he's
7 been a good one this year.

8 MS. ZOOK: Right.

9 MR. HOGAN: So 15, and he couldn't get a job --
10 couldn't find a job in Blytheville at that time, and
11 he's been in Osceola for a year. So I feel we're
12 going to use that word "retention;" I think we're
13 going to retain him.

14 MS. RAPER: Hi, how are you? My name is
15 Shantele Raper and I'm director of Federal Programs
16 and Special Projects with the Osceola School
17 District. I guess in response to your question,
18 you're talking about how are we building capacity
19 with the people that are on these waivers. First I
20 want to say, as a middle school teacher, I really
21 appreciate the opportunity to see that some of my
22 former students who have graduated from Lyons with a
23 degree in mathematics has come back. You know,
24 they've come back to us and said, "I want to come
25 back to my community and help, but I didn't take this

1 education pathway." So as a former teacher it is
2 rewarding to see my students come back to be teachers
3 in our community. So as they're teacher leaders,
4 we're there to support them and and we're building
5 capacity with them. And another thing is with our
6 Generation Ready providers; they -- we are building
7 capacity with our academic coaches. We're fortunate
8 to have a math and literacy academic coach on each
9 campus, so we do try to make those -- build those
10 teacher leaders. I was given that opportunity as a
11 teacher leader. So with these teachers that are on
12 these waivers we are finding those opportunities for
13 them to serve on committees and work with these
14 academic coaches; so having Generation consultants in
15 the buildings, building capacity with academic
16 coaches, and then in return those academic coaches
17 building capacity with our teachers. And like Mr.
18 Hogan said, having these home-grown people, the
19 people in the community that are coming back to the
20 delta to help, that's one way that we're trying to
21 work with them.

22 MS. ZOOK: Thank you.

23 MS. SMITH: I'm Christel Smith and I'm the
24 principal at Osceola STEM Academy, which is the
25 middle school, 5th through 8th grade. And I'm going

1 to speak on behalf of being an instructional leader.

2 One of the lessons I think has happened -- this
3 is my fourth year at that school, but now all of the
4 principals in the building has the Mentor Master
5 Principal program, which is our support from Arkansas
6 Leadership Academy. Also, all of our coaches goes
7 through the facilitator training. We have had
8 probably five or six teams go through Leadership Team
9 Institute. Also, I've had the pleasure to send six
10 teachers through Teacher Institute. So we're really
11 trying to align, yes, our vision.

12 But I want to talk a little bit about -- because
13 when I looked at that -- and some of those positions
14 are actually at my school -- it just -- I was just
15 kind of blown away, even though I knew the positions
16 that I have open. But then when I started thinking
17 about transforming, teaching and learning it's really
18 hard to do that and also have leaders changing and
19 managing leadership, because it's hard for her
20 because I feel like every year we're rebuilding. And
21 it is good to have home-grown, but actually I tell
22 people all the time "you're not going to learn how to
23 be a teacher in getting a degree and having a teacher
24 certificate; you become a teacher by going in the
25 classroom and teaching." So it's really been hard.

1 So, looking at that list I started thinking
2 about -- I've been in Osceola since 2006-2007. I've
3 seen it transform tremendously. So looking at that,
4 you'll say "wow, you know, is something going on
5 there?" But I've seen the culture turn around. Just
6 -- we're not just fortunate enough to have people
7 from the area. Most of the teachers that I hire they
8 drive an hour or so away. So a lot of times we use
9 that as a steppingstone because a lot of them can't
10 get jobs because they don't have experience. So many
11 of mine that I've lost said they loved it; they wish
12 they could pick up my school and take it where they
13 live. They're just not willing to move to that
14 community. Some of them have started having
15 families, you know.

16 So I just wanted to share that with you. You
17 know, we really are trying. So, thank you.

18 MR. HOGAN: And I alluded to the fact that once
19 we get them, and they stay a year or two, if
20 Jonesboro calls them or Marion calls them or West
21 Memphis -- West Memphis' starting salary is right at
22 \$44,000, \$45,000, I think, and that's a big
23 difference.

24 CHAIRMAN BARTH: Any other questions?

25 I think if not, we can just see if any -- if

1 there is any opposition, Ms. McLaughlin. I don't
2 believe so.

3 MS. McLAUGHLIN: There is not.

4 CHAIRMAN BARTH: Okay.

5 MR. HOGAN: And as I stated, if we're granted
6 the waiver for the three years we will work as hard
7 as we did this one year to try to keep them informed,
8 and staff development training and whatever to obtain
9 a regular license, standard license, and get this
10 thing resolved.

11 CHAIRMAN BARTH: Great.

12 MR. HOGAN: Thanks to Mr. Walter and, again, Ms.
13 Boyd and Ms. Kelly McLaughlin.

14 CHAIRMAN BARTH: Thank you. Thank you.

15 Is there a motion on this waiver request?

16 MS. CHAMBERS: I move to grant the waiver
17 request.

18 DR. HILL: Second.

19 CHAIRMAN BARTH: Okay. Motion by Ms. Chambers,
20 second by Dr. Hill.

21 I just -- I always want to comment, and it picks
22 up in some ways on Ms. Zook's comment. I mean, I'm
23 so sympathetic to these districts that lack folks in
24 the community or who are willing to come into the
25 district. But I think we also need to do everything

1 we can to elevate the prestige of the profession and
2 I just worry deeply about waiving away that. And so,
3 you know, it's nothing about this district. And I'm
4 deeply sympathetic to the challenges you and other
5 districts face, but I worry deeply about that and the
6 signals it may send to folks who are in the
7 profession now, but folks who are looking to come
8 into the profession longer term.

9 DR. HILL: A couple --

10 CHAIRMAN BARTH: Dr. Hill.

11 DR. HILL: Two things I want -- number one, as
12 we try to process this, I think my question would be,
13 you know, what are our alternatives? And then,
14 secondly, as we sit here and review these, you know,
15 waivers, as we do sometimes charters, I guess I want
16 to ask Commissioner is there not any reason to think
17 about a waiver review committee? Gosh, because, I
18 mean --

19 COMMISSIONER KEY: I take that as you're
20 volunteering?

21 DR. HILL: Well, no. I mean, I'm just -- but,
22 you know, I mean, because the process that -- because
23 we're just getting them as we look at the
24 information, but I think there's a point maybe it can
25 give more detail than us just seeing it, say yes, no,

1 or to be able to analyze it. Just something as some
2 consideration.

3 COMMISSIONER KEY: Well, and I think there is
4 considerable review of the waivers --

5 DR. HILL: Okay. All right.

6 COMMISSIONER KEY: -- within the Department.

7 DR. HILL: That we don't know. Okay.

8 COMMISSIONER KEY: I mean, we have the Charter
9 Unit that reviews those. They consult with Dr.
10 Owoh's unit and, you know, when it's appropriate they
11 consult with Standards. I think they always consult
12 with Standards on it. And which, as a matter of
13 fact, tomorrow we'll fill you in on some of the
14 moving around that we're doing within the Department
15 to better align some of the review processes. So,
16 yeah, that happens. And, you know, that's why we try
17 to get it out to you early enough so that if there
18 are questions about some of the details there's a
19 chance to, you know, dig a little deeper if we need
20 to.

21 DR. HILL: Yeah.

22 COMMISSIONER KEY: But I think part of what we
23 are dealing with -- Mr. Hogan mentioned, a few years
24 ago in the policy that we had, that if you didn't
25 pass that test, get your license in three years you

1 were out. That was very short-sighted. I mean,
2 there was a reason that we did that, the Department
3 did that at the time, but we're still suffering the
4 impact from that.

5 DR. HILL: Yeah.

6 COMMISSIONER KEY: There are educators who would
7 have been great educators today but for that three-
8 year timeframe.

9 DR. HILL: I know some of them.

10 COMMISSIONER KEY: And then we went out to -- if
11 you'll remember, we had -- one of our campaigns was
12 to try to get some of those folks back in. Well,
13 what we are seeing now -- and I know it's something
14 we talk about a lot -- is that decline that we were
15 seeing for several years in the number of people
16 coming into the profession, going into the
17 preparation programs. And it takes four to five
18 years in that traditional route to see that, and so
19 we're in kind of a trough right now. I think what
20 you're going to see over the next five years is that
21 those numbers start to pick back up; there will be
22 less need for these waivers. And so I think that
23 three- to five-year period that we are looking at
24 right now we're approving many of these waivers, it's
25 temporary. It was always meant to be temporary. It

1 was never meant to replace a traditional prep program
2 philosophy with Teach For America, Arkansas Teacher
3 Corp, any of those things. It's good that they're
4 there. I think the work that we are all doing
5 together is really going to start showing the
6 increase in the evidence and it's going to get easier
7 to fill these positions, and in three to five years
8 they'll come back and say, "We don't need that waiver
9 anymore." I mean, that's what we're working for.
10 And it's a lot of lead time and it's hard to really
11 put --

12 DR. HILL: Yeah.

13 COMMISSIONER KEY: -- hard figures to that. But
14 that's kind of what we're working with in the
15 Department.

16 DR. HILL: And I recognize that. And I think
17 when you look at the alternative, as we've seen over
18 the last two years I've been on the Board, is that
19 it's either we grant this with that strategic plan
20 you all have or we have long-term substitutes. And
21 right now this is the best plan until that happens.

22 COMMISSIONER KEY: Yeah.

23 DR. HILL: And so that's what I'm saying. I
24 mean, while we can sit here and say we don't agree
25 with the waiver, when we know what would happen if we

1 don't grant it, then we're not improving the
2 situation; I mean, so it's just rational to me, even
3 though I respect Dr. Barth's concern about, you know,
4 going to school and not lessening the profession.
5 But I think when you're considering the alternative,
6 is there something better? And to me, as I sit here
7 for two years and we've gone through the waiver
8 process, and as a parent, do I want somebody who's
9 going through the program with the principal, with
10 the Teacher Academy, who've been trained, who've been
11 mentored, or go with a long-term sub? To me, it's a
12 no-brainer. Now that's just my personal experiences
13 in knowing what they're trying to do. And I think
14 everybody is out there trying to recruit, retain,
15 educate, nurture. I keep hearing those words over
16 and over and over. So, I mean, I empathize with
17 them, you know, and applaud, you know, what's going
18 on, because I've been through those areas. And I
19 know Ms. Baker very well; I recruited her son. I
20 mean, I know who you're working with and I'm proud to
21 see him go into the classroom; he's great. You know,
22 hats off to you. That's why I said that, because I
23 know what you're doing, because he wasn't originally
24 going to be a teacher.

25 COMMISSIONER KEY: Yeah. And, you know, Mr.

1 Hogan, you mentioned the ANC dropping the program. I
2 would encourage two-year colleges to re-think that --

3 MR. HOGAN: Yes, sir.

4 COMMISSIONER KEY: -- because once they drop it
5 it's hard to get -- you know, to ramp those things
6 back up. And if we are as successful as we expect
7 that we will be with respect to teacher cadets, the
8 orientation, the teaching programs, Educators Rising,
9 they're going to get student inquiries one of these
10 days and they're going to wonder where did all these
11 kids come from and why did we make that decision. So
12 that's where that stakeholder engagement at the local
13 level is so critical and that all of the higher ed.
14 institutions understand don't make short-term
15 decisions when others are working on long-term
16 solutions that their short-term decisions might
17 hinder down the road.

18 CHAIRMAN BARTH: Yeah. And that's -- I agree,
19 it's a deeply rational way to go in the short-term.
20 I just -- I just deeply -- I would be worried about
21 --

22 DR. HILL: I agree.

23 CHAIRMAN BARTH: -- if there are long-term
24 ramifications in terms of sending signals about the
25 value of the profession.

1 DR. HILL: Absolutely.

2 MS. CHAMBERS: Just I find myself literally
3 caught between the two of you, but also
4 philosophically. I do look forward to, Commissioner,
5 what you just said, that all these good things are
6 going to really start to show up in our numbers in
7 the certified teachers that we have out there. I
8 don't know what is -- what accrues to us to compel
9 the districts; maybe it's just the ADE puts together
10 reports over time we can see, because there will be
11 -- we've seen a pretty big wave in the past two years
12 of waiver requests. And so they are going to --
13 they're going to come back on the calendar here at
14 some point in the next two, three, four years, and
15 you'd love to see that those numbers have actually
16 started to change. And so I hope that's something
17 from a due-diligence perspective we can do for
18 ourselves to see that that is indeed improving.

19 COMMISSIONER KEY: Yeah, we can do that.

20 CHAIRMAN BARTH: All right. I think we're ready
21 for a motion on this.

22 MS. CHAMBERS: I moved.

23 CHAIRMAN BARTH: Oh.

24 COMMISSIONER KEY: We have a motion and a
25 second; motion by Ms. Chambers and second by Dr.

1 Hill.

2 CHAIRMAN BARTH: I'm sorry; I was starting us
3 down a bad path and I apologize.

4 All those in favor of the motion to accept the
5 waiver?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN BARTH: Opposed, same sign.

8 All right.

9 MS. ZOOK: I was going to say to the
10 superintendent, having sat through many classes with
11 Dr. Cummins, he learned to give compassion because he
12 got a lot of it.

13 CHAIRMAN BARTH: All right. I think we need a
14 five-minute break before we transition to -- thank
15 you.

16 (BREAK: 3:29 - 3:39 P.M.)

17 B-2: CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISION ON
18 DISTRICT CONVERSION PUBLIC CHARTER SCHOOL AMENDMENT: OSCEOLA
19 STEM ACADEMY, OSCEOLA

20 CHAIRMAN BARTH: Okay. The Commissioner is on
21 his way back. We are down now to a conversion
22 charter school amendment from Osceola STEM Academy.
23 And I'll turn it over to Dr. Boyd.

24 DR. BOYD: Thank you, Dr. Barth. Alexandra
25 Boyd, Director of Charter Schools. This is a

1 decision that's made by -- that has been made by the
2 Charter Authorizing Panel. It was made on May 16th.
3 As a reminder, the motions for my items today are to
4 review or not review.

5 So, on May twenty -- I mean, on May 16, 2018,
6 representatives of the Osceola STEM Academy appeared
7 before the Charter Authorizing Panel requesting an
8 amendment to their charter. It was approved by a
9 unanimous vote. No formal request for review from
10 the State Board has been made, but you should -- you
11 can make one if you would like, if you so choose.
12 Representatives from Osceola are here, if you have
13 questions about this item.

14 CHAIRMAN BARTH: Any comments or questions over
15 here? Ms. Zook or Ms. Reith, either of you?
16 Everybody good?

17 We may have some technology issues up here.

18 MS. ZOOK: I don't have any questions on this
19 item.

20 CHAIRMAN BARTH: Okay. All right. All right.
21 I would -- assuming you all understand the proper
22 motion to review or not to review --

23 MS. NEWTON: I move not to review.

24 MS. CHAMBERS: Second.

25 CHAIRMAN BARTH: Okay. Further discussion?

1 Motion by Ms. Newton, second by Ms. Chambers.

2 All those in favor say "aye."

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRMAN BARTH: Opposed, same sign.

5 All right. Great.

6 B-3: CONSIDERATION OF REQUEST FOR WAIVER OF STANDARDS FOR
7 ACCREDITATION - PROBATION - OSCEOLA STEM ACADEMY

8 CHAIRMAN BARTH: And our final Osceola issue is
9 a request for waivers, Standards of Accreditation; so
10 a different issue.

11 MS. DAVIS: That's correct. Jennifer Davis,
12 Staff Attorney for the Department. And we have
13 actually requested to pull this item because the item
14 you just chose not to review would alleviate their
15 need for an appeal. Additionally, with your
16 permission we would like to replace the attachment,
17 which is the final accreditation report for item
18 number 14. Currently it has Osceola listed as having
19 a probationary issue, but with your approval of the
20 last item it no longer has a probationary issue.

21 And so with your approval, before you get to
22 that item we would like to replace that attachment so
23 it would reflect the current accreditation status.

24 CHAIRMAN BARTH: Great. Thanks. Okay. So
25 we're ready to move on from that issue. And so thank

1 you to the people from Osceola and safe travels back
2 home.

3 B-4: CONSIDERATION OF CHARTER AUTHORIZING PANEL'S DECISION -
4 SUMMARY INFORMATION

5 (a) POLK COUNTY VIRTUAL ACADEMY, MENA

6 CHAIRMAN BARTH: This means we are now down to
7 another series of Charter Authorizing Panel
8 decisions, and first up is the Polk County Virtual
9 Academy issue.

10 DR. BOYD: Thank you, Dr. Barth. On May 16th,
11 the Polk County Virtual Academy asked for an
12 amendment request. The Panel voted to approve it
13 with a unanimous vote. No request for review has
14 been made. I believe we have a representative on the
15 phone from Polk County, should you have questions.

16 CHAIRMAN BARTH: All right. Ms. Reith or Ms.
17 Zook --

18 MS. REITH: I don't have any questions.

19 CHAIRMAN BARTH: -- either, any questions here?

20 MS. ZOOK: No, this is just a change of address.

21 CHAIRMAN BARTH: Okay. Any questions on this
22 side?

23 Okay. And y'all understand the proper motion,
24 to review or not to review.

25 MS. REITH: I move not to review.

1 MR. BLACK: I second.

2 CHAIRMAN BARTH: Motion by Ms. Reith, second by
3 Mr. Black.

4 All those in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 (b) ARKANSAS ARTS ACADEMY, ROGERS

8 CHAIRMAN BARTH: Okay. Now down to the Arkansas
9 Arts Academy.

10 DR. BOYD: The Arkansas Arts Academy requested
11 an amendment to its charter on May 16th. It was
12 approved by a unanimous vote from the Panel. No
13 request for review has been made. And we should have
14 representatives on the phone from Arkansas Arts
15 Academy, if you have questions.

16 CHAIRMAN BARTH: Okay. Any questions on this
17 side? Ms. Reith, Ms. Zook?

18 MS. ZOOK: This is still one of those Media
19 Specialist cleanups; is that right?

20 DR. BOYD: That's correct.

21 CHAIRMAN BARTH: Okay.

22 MS. REITH: I move not to review.

23 MS. CHAMBERS: Second.

24 CHAIRMAN BARTH: Motion by Ms. Reith, second by
25 Ms. Chambers.

1 All those in favor say "aye."

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRMAN BARTH: Opposed, same sign.

4 (c) FRIENDSHIP ASPIRE ACADEMY, LITTLE ROCK

5 CHAIRMAN BARTH: Okay. And that gets us down to
6 Friendship Aspire Academy.

7 DR. BOYD: Thank you, Dr. Barth.

8 Friendship Aspire Academy-Little Rock requested
9 an amendment to their charter. By unanimous vote the
10 Panel approved the request, and there has been a
11 request for a formal review made by Superintendent
12 Poore. So I'll have Jennifer Davis to come and talk
13 to you about the procedures for considering that
14 review.

15 CHAIRMAN BARTH: Thank you.

16 MS. ZOOK: Okay. May I ask a question on your
17 way up?

18 It was my understanding from the letter that was
19 included in this and the letters from -- to the other
20 people that a request for review had to come from an
21 opposer by the 8th, according to your letter that you
22 sent.

23 DR. BOYD: Uh-huh.

24 MS. ZOOK: And I got mine this morning.

25 DR. BOYD: Uh-huh.

1 MS. ZOOK: So can you help clear that up for the
2 audience and for the viewing public?

3 DR. BOYD: Yes, ma'am. We perhaps should add a
4 clause to our letter and our discussion. There is
5 nothing in the law or the rule that says it has to be
6 in by a certain time. I put in a time so that I can
7 try to give you the information and try to get it on
8 the public agenda. And so while I request that,
9 there's nothing in law and rule that says it has to
10 happen by a certain time.

11 MS. ZOOK: Are there things that we request on
12 both sides that aren't in law that we do for the
13 convenience of the Board's study?

14 MS. DAVIS: There are things even like for a
15 school choice appeal; somebody can show up with
16 documentation that is not included in the agenda and
17 present it to you as well. So that does happen by
18 practice; we have dates in which that we need to get
19 the agenda posted, so that's usually the date in
20 which we say that it has to be. The rules themselves
21 do say that it has to be a written request, in
22 writing. It does not have a date on it. But also
23 somebody could show up today and voice a request for
24 review as well. So that's why there's no deadline
25 for making that request, because somebody could show

1 up with public comment today.

2 MS. ZOOK: Thank you.

3 CHAIRMAN BARTH: So you want to walk us through
4 the procedure?

5 MS. DAVIS: Sure. And our rules do say that if
6 there is a request for review it could come from any
7 number of people. And the person requesting the
8 review has three minutes to tell you the reasons for
9 why they're requesting a review; anybody that isn't
10 opposed to the review has three minutes as well, and
11 then the party requesting the review has one minute.
12 Of course, any of that time, as the Chair you do have
13 the discretion to extend that or offer more time, but
14 it is a three-minute, three-minute, one-minute
15 rebuttal.

16 CHAIRMAN BARTH: Okay. So, and the person
17 requesting the review goes first?

18 MS. DAVIS: That's correct.

19 CHAIRMAN BARTH: Okay. And then we do have some
20 requests for public comment on this item, and so that
21 would come after that three-minute, three-minute,
22 one-minute?

23 MS. DAVIS: After the formal request for the
24 review you would have discussion and then prior to
25 your vote, after discussion, is when the public

1 comment comes in -- after you have done your
2 discussion, right before a vote.

3 CHAIRMAN BARTH: Okay. Great. Thank you very
4 much.

5 Then Mr. Poore is up for three minutes; correct,
6 Ms. Boyd?

7 DR. BOYD: Yes, that's correct. Thank you.

8 CHAIRMAN BARTH: Dr. Boyd. I apologize. I'm
9 getting used to it.

10 SUPT. POORE: Okay. I will begin. I think that
11 one of the things that you -- my reason for request
12 is that the State has asymmetry in terms of giving
13 consideration of how schools begin and how you set up
14 the structure to make sure that everything is done in
15 a way that creates a timing for all parties. That
16 includes the charter that is seeking to come into
17 place, that includes the school district, that
18 includes the parents that are potentially able to
19 come in. And so that sequence sets it up so that,
20 you know, there's an approval in the fall and then
21 there's time for the charter to go do its work to
22 establish itself, to recruit, to get teacher
23 recruitment, student recruitment, and then actually
24 start to deal with programming. It allows then also
25 the school district that's impacted to have a reality

1 in terms of its budget. For Little Rock School
2 District specifically on this particular issue, we
3 knew in the fall that there was the potential of us
4 losing as many as 360 students with the approval of
5 two charters that took place in the fall. When the
6 charter backed out from the New Orleans group, that
7 then, in our mind, cut in half the risk of where we
8 were. We then moved forward in April and May, which
9 is pretty typical and standard for the schools to
10 start to move forward on its staffing, as well as its
11 programming -- if you think about just today with the
12 Elkins example of the discussion that occurred with
13 one student, okay, and the impact it can have on
14 budget, especially if it's a severe needs child in
15 terms of how you look at these things -- so, you
16 know, we have in place and have an idea of how we're
17 going to staff our buildings and we've established
18 that. And I probably don't need to remind all of you
19 this is in the middle of a \$5 million budget
20 reduction just this year and a \$41 million budget
21 reduction over the last three or four years, so the
22 loss of students, it does have an impact.

23 The other thing that you look at is parents have
24 options and opportunities, and really we do a great
25 job throughout this state, I think, of selling what

1 we're able to do for parents so that they can make
2 their choice. But typically those choices are made
3 and the windows of opportunity are all done prior to
4 June 1 in terms of, you know, who's going to go
5 where.

6 The final thing is serving students. You know,
7 if you look at this and just start to think of -- we
8 don't know right now what the Aspire charter school
9 has in terms of its exact numbers, at least I am not
10 privy to that. And so if you look at it, and you
11 start to think of how many grades per grade level,
12 you also have to start to think about the sequencing
13 then of how that school moves forward. But you also
14 need to look at the individual delivery for that year
15 in terms of special needs children and whether or not
16 there's the programming set to serve those young
17 people.

18 The last comment that I'll make, and I'm sure my
19 time is very close to being done, is that I do think
20 that, you know, the waiver that this was established
21 to allow to happen makes sense. There's a lot of
22 waivers that have occurred, come to you today. But
23 when you talk about a waiver to allow a school to
24 jump in and actually start a whole year earlier that
25 probably is something that deserves a lot deeper

1 thinking than just the issue in front of you today,
2 and I just plant that seed.

3 CHAIRMAN BARTH: Thank you, Mr. Poore.

4 All right. So, Ms. Boyd -- or Dr. Boyd --

5 DR. BOYD: It's all right.

6 CHAIRMAN BARTH: It's getting late in the day.
7 I apologize.

8 DR. BOYD: It's fine. From Friendship we have
9 Joe Harris and -- I'm going to get it backwards --
10 Phong Tran.

11 CHAIRMAN BARTH: Great. All right. And there's
12 no testimony on this; I don't need to swear any of
13 these parties? I apologize.

14 DR. BOYD: No.

15 CHAIRMAN BARTH: Okay. Mr. Harris.

16 MR. HARRIS: I'd like to thank this body for
17 inviting us today. And in response to Superintendent
18 Poore's appeal to this body, which we received under
19 such short notice, as many of you have, we'd like to
20 just take a few minutes and talk about some of the
21 points that he hit on.

22 We were approved on May 16th to open the school
23 by the Panel. That's the recommendation for review
24 that is before us today. It was at that time it was
25 determined that we had the capacity, the resource,

1 and experience to open our school a year earlier.
2 This body more than a year ago granted us two
3 charters, one to open up a school in Pine Bluff this
4 year and then the other to open the Little Rock
5 school in the following year. We made an appeal to
6 open up our Little Rock school a year earlier. We
7 asked for that request as a result of the fact of --
8 two factors: one, the Einstein school that was going
9 to occupy the Garland School pulled out; and then,
10 second, having to do with the fact that this created
11 a facility that we would be able to open up and open
12 a school this year. The reason we asked for a
13 staggered opening in our first application was
14 because of the facility. That issue of the facility
15 was addressed as a result of Einstein pulling out.
16 So we now have a school in Little Rock. We have the
17 capacity and the experience.

18 Superintendent Poore and I just gave you guys a
19 handout that talked about our capacity and
20 experience, and there are a number of things I wanted
21 to just quickly point out and what we've done in just
22 the last three short weeks to insure that our school
23 opens up on time in Little Rock.

24 To my right you see Lauren Chapman. Lauren
25 Chapman is our new principal at Garland, Friendship

1 Garland. We're really proud to have her. Principal
2 Chapman comes with over 20 years experience. She
3 also just moved to Little Rock, so she will be a
4 resident of Little Rock. Her and her family moved
5 here. To date we've hired or at least identified and
6 intend on hiring six -- I'm sorry -- seven teachers,
7 one of which is our SPED teacher. We have two
8 kindergarten, first -- two first graders, and one
9 para already identified. Of the seven teachers and
10 staff we've identified six are residents of Little
11 Rock. We've already begun aggressive student
12 recruitment efforts. So in two weeks we've yielded
13 17 student applications. We've done a number of
14 radio ads that -- I don't know if you guys have heard
15 them, but they're running all over. We've run them
16 on urban stations, the religious, and then Spanish-
17 speaking radio stations. We've put in place an on-
18 the-ground team that has reached over 300 people in
19 just two weeks.

20 We're excited about the opportunity that we have
21 and we're confident that we will have the ability and
22 the capacity to open up our school in Little Rock.
23 We've already hit the ground running. We'd like for
24 this body to just follow through on the commitment
25 that the Charter Panel made in its recommendation to

1 approve us to move forward.

2 CHAIRMAN BARTH: Thank you, sir.

3 And Mr. Poore has one minute; correct?

4 DR. BOYD: Yes.

5 CHAIRMAN BARTH: Okay.

6 SUPT. POORE: In the letter that was addressed
7 to the Commissioner and Mr. Barth and Ms. Boyd that I
8 submitted last night, one of the things that I
9 mentioned was that the -- you know, if you go back
10 and look at the Friendship Aspire Academy's approach
11 to say that they want to start off in Pine Bluff with
12 intentionality to have a start into the state because
13 they're new into our state, that that was the part of
14 their thing. At that time they did not mention that
15 it was because they didn't have a building; they said
16 they were going to be looking for a building over the
17 course of this coming year to join and serve students
18 in the southwest part of the city.

19 The State Board approved and the Charter Panel
20 had at that time approved the school to open up for
21 the following year. So I think that that is an
22 element of just if we go back and look at, you know,
23 what -- the sequence of what was delivered and what
24 was said as the intention, which was to go serve the
25 students of southwest Little Rock. That was a

1 critical component of what they said they wanted to
2 go do and said that that's where they thought there
3 was a need.

4 So the big deal for me though is timing that I
5 think supersedes everything in terms of how we go and
6 establish our staffing and our budgets and our
7 ability to go serve kids, especially with special
8 programs, whether that's ESEL, SPED, or anything
9 else.

10 CHAIRMAN BARTH: Thank you, sir.

11 Okay. And so that's -- that concludes the
12 formal presentations. So, next up would be any
13 questions from board members. But before we make a
14 motion we would move to -- no, Ms. Davis is telling
15 me to --

16 MS. DAVIS: No, I'm sorry. No, that would be
17 correct.

18 CHAIRMAN BARTH: Okay.

19 MS. DAVIS: But I do understand that there are
20 other individuals in here who might not want to wait
21 until your decision. So if, you know, Senator
22 Elliott would like to make her comments now then you
23 can grant that deference to her.

24 CHAIRMAN BARTH: Okay. Okay. She's -- you're
25 good to wait?

1 SENATOR ELLIOTT: I can wait till whenever my
2 turn is --

3 CHAIRMAN BARTH: Okay. All right.

4 SENATOR ELLIOTT: -- in regular order.

5 SENATOR ELLIOTT: Okay. Great.

6 Okay. So now would be the time for any
7 questions of either party.

8 DR. BOYD: Yeah, I would just like to remind
9 everyone that the questions are to get to the
10 decision to review or not review and we want to avoid
11 holding another hearing.

12 CHAIRMAN BARTH: Exactly. All right. And I was
13 -- you read my mind.

14 Again, the conversation today is not about the
15 merits of the case itself; it's really the question
16 of whether it is appropriate for a full review in the
17 -- I guess it could happen at any time, but no later
18 than the July meeting of the Board. Correct? All
19 right.

20 Okay. And so I'll start over here. Ms.
21 Cochran, questions?

22 MS. COCHRAN: No.

23 CHAIRMAN BARTH: Ms. Newton?

24 MS. NEWTON: No. No questions.

25 CHAIRMAN BARTH: Okay.

1 DR. HILL: Yeah. So if it was to be reviewed,
2 when would that take place? I mean --

3 DR. BOYD: So the law states that it needs to be
4 either at your next scheduled meeting or a special
5 meeting held before then, whichever one happens
6 first. We reviewed the open meeting laws in
7 preparation for this and you could review it as early
8 as tomorrow. But if you do review it, it needs to be
9 sometime between tomorrow and your next -- or at your
10 next regularly scheduled board meeting.

11 CHAIRMAN BARTH: Okay. Ms. Chambers?

12 MS. CHAMBERS: No.

13 CHAIRMAN BARTH: Okay. Ms. Zook?

14 MS. ZOOK: All mine would be review questions,
15 not -- specific questions.

16 CHAIRMAN BARTH: Okay. Ms. Reith?

17 MS. REITH: I do have one question for Ms. Boyd.
18 And I apologize that I didn't get a chance to review
19 the video or attend the session, and I couldn't
20 discern from the documents to what extent was this
21 issue of timing. Was that raised in the discussion
22 of the Charter Authorizing board?

23 DR. BOYD: Yes. Several panel members asked
24 questions about the capacity of the charter to be
25 able to open in August and those questions, looking

1 at the votes, seemed to be answered to their
2 satisfaction.

3 MS. REITH: Thank you. And actually my question
4 -- I apologize I wasn't more precise -- but the
5 question of the impact in regards to the timing to
6 Little Rock School District so that's -- because
7 they're also having a short window of turnaround in
8 terms of -- they've already made hiring decisions,
9 staffing decisions based on their assumption in
10 regards to charter seats for this coming school year
11 and this does have an impact. Was that raised or
12 just part of the conversation?

13 DR. BOYD: I do remember it being a
14 consideration.

15 Ms. Davis, do you have more?

16 MS. DAVIS: No.

17 DR. BOYD: I do remember it being a
18 consideration, and I think that's really all I can
19 say, you know --

20 MS. REITH: Okay. That it was at some point
21 raised, okay. But was the specific letter of concern
22 raised at that time, the letter that Dr. Poore sent?

23 MS. DAVIS: No, but he did come and voice
24 opposition --

25 MS. REITH: Okay.

1 MS. DAVIS: -- at the meeting.

2 MS. REITH: Thank you.

3 CHAIRMAN BARTH: Okay. All right. Any further
4 questions?

5 Then a motion I guess would be in order to
6 accept public comment on this item.

7 MS. ZOOK: I move to accept public comment.

8 MS. NEWTON: Second.

9 CHAIRMAN BARTH: All right.

10 COMMISSIONER KEY: I don't think you have to do
11 that.

12 CHAIRMAN BARTH: Okay.

13 MS. DAVIS: So you don't have to move to accept.

14 CHAIRMAN BARTH: Okay.

15 MS. DAVIS: If anybody wants to just --

16 CHAIRMAN BARTH: Okay. We're good.

17 So we can move directly to public comment; up to
18 three minutes would be our normal -- and the first
19 person I have is Vic Snyder. Congressman Snyder, if
20 you will -- three minutes.

21 CONGRESSMAN SNYDER: Good afternoon. I
22 appreciate you taking public comment this afternoon.
23 My name is Vic Snyder. I come here today as a parent
24 with four children in the Little Rock School
25 District, three going into 4th grade and one going

1 into 7th. All are at Forest Heights STEM Academy.
2 And I'm sure that some of you are looking at me,
3 saying, "Surely he meant grandparent." But no, I
4 have indeed four, I will say, always delightful
5 little boys, since you didn't put me under oath.

6 My wife and I have been very pleased with our
7 four years at Forest Heights and are very
8 appreciative of our principal, Ms. Amy Cooper, her
9 team and her dream for public education. Forest
10 Heights received an A and even some extra money, as I
11 spent some time on the Department of Education
12 website looking at the scores from other schools
13 around Little Rock and around the state. But it
14 clearly shows great variability school to school in
15 socioeconomic status, race, English language
16 proficiency, and special ed. students. How our
17 community and our state should respond to this
18 variability is a very important ongoing topic, but
19 today's agenda item is a much more limited one:
20 should this process be rushed to allow a new charter
21 school to begin a year earlier than originally
22 planned. And in my opinion the process should not be
23 rushed and there should be review.

24 The time is short to be ready for a new school
25 year as this new school tries to get ready, and I'm

1 sure they will work with great dedication. Three
2 results can occur: first, they are successful and are
3 able to recruit and put a team together prepared for
4 all students; or, second, they are unsuccessful and
5 special ed. kids and special needs kids don't get the
6 services they deserve; or, third, they are
7 unsuccessful and parents with special ed. kids figure
8 this out and do not send their children to this
9 school, with the result being the higher
10 concentration of kids with challenges in the current
11 schools but with less money for Superintendent Poore
12 and his team to meet their needs.

13 I don't know what schools in Little Rock will
14 look like in five or ten years, but in fairness to
15 this community and all our children I encourage you
16 not to circumvent the normal process which allows
17 preparation both for the new school but also for our
18 local district. Thank you all.

19 CHAIRMAN BARTH: Thank you, sir.

20 Next up, Senator Elliott.

21 SENATOR ELLIOTT: Thank you, and good afternoon,
22 Board. It's been awhile since I've seen you. I've
23 missed you. I'm sure the feeling is mutual. I am
24 happy I was able to come today, because I'm not going
25 to pretend to you that I am for this school even

1 being located in our neighborhood; so I'm not trying
2 to pull the wool over anybody's eyes.

3 So sticking to the issue at hand, I do have real
4 concerns about the school opening on such a short
5 notice. Because as a school teacher I know we
6 started planning even when we were in the throes of
7 having a method for starting school from year to
8 year. We started very seriously in February, because
9 we knew what we were going to do, we knew what was
10 required; we had even gone to the extent of making
11 sure every teacher by May 1 knew whether or not you
12 were going to be rehired.

13 And I think something else that's an overriding
14 consideration for me, I sat here and listened today
15 to many folks who were really from areas that are
16 very -- that are struggling; and we have to make
17 waivers time and time again, which makes me question
18 sometimes, you know, what are those kids getting.
19 And it's not to say folks aren't doing their best,
20 but here we have an option. This is not something we
21 have to do in a hurry-up way to a community that is
22 already struggling. We don't have to do that in this
23 case. And what it feels to me like, in some ways
24 we're giving parents an option here at the expense of
25 whether or not we're really prepared to give them an

1 option. And I totally accept that that's what we
2 want to do is give them an option. But it should be
3 an option, I think, that is respectful of the fact
4 that this community is already struggling, trying to
5 figure out how to make many things work, and in the
6 middle of that we're going to throw something else
7 where I would suggest to you we're not prepared to
8 do. The most we can do, I think, or the very least
9 maybe we can do, is at least be prepared for this.
10 Because if we are not, we are taking chances with our
11 kids' lives and that is not something we should do.

12 There is a reason -- there is a reason that all
13 of this time was necessary to be prepared; that's why
14 it was going to be another year off. So if you're
15 preparing for a school in Pine Bluff, but you're also
16 preparing for one in Little Rock that you were not
17 going to open, that doesn't fall well with me for our
18 community, for our kids, and for our parents.

19 Thank you for hearing me.

20 CHAIRMAN BARTH: Thank you.

21 And, finally, Sam Ledbetter. Good to see you.
22 Long time no see.

23 MR. LEDBETTER: I know everyone is thinking you
24 were done with me this morning, but you're not. My
25 name is Sam Ledbetter and I ask that you vote to

1 review the Charter Authorizing Panel's decision to
2 allow Friendship Aspire Academy charter school to
3 move up its open-date by one year. There's a process
4 for approval of charters that is fair to both the
5 charter schools and the districts the charter schools
6 are allowed to operate in. Departing from the
7 process, in my view, is unfair to both the charter
8 school and the local district. It's unfair to the
9 charter school because it has to ramp up without
10 sufficient time to meet the commitments under its
11 charter, including providing services to children
12 with special needs. The charter for this school
13 promises to serve students in special education. I
14 cannot imagine that it can do that given the
15 timeframes that it's now trying to operate under. A
16 review will allow you to at least determine that the
17 charter school is truly in a position to fulfill the
18 commitments to special education and all the other
19 commitments that is made in its application materials
20 in such a short timeframe.

21 The charter school's application stated it would
22 begin with 160 students. It's hard for me to
23 envision how it will meet this enrollment goal this
24 late in the process when most families have already
25 made decisions for the upcoming school year that

1 begins in approximately 60 days. Families make their
2 plans for the coming school year in advance, and
3 making this late change is not conducive to stability
4 or sound decision-making. But if parents decide that
5 they will send their children to this school, then,
6 in my view, it's unfair to Little Rock School
7 District for the reasons that Mr. Poore has already
8 outlined. He's made his staffing decisions on the
9 belief that this charter school would not begin this
10 year but would begin operation in the 2018-2019
11 school year. If this charter is allowed to replace
12 Einstein, the district will lose students but it is
13 prohibited by law from making staffing adjustments to
14 compensate for the last-minute enrollment loss. And,
15 of course, Dr. -- or Mr. Poore has already told you
16 they're in this declining enrollment/loss of funding
17 situation and it just -- it's more burden on the
18 Little Rock School District.

19 So you may be thinking, well, okay, if we review
20 we just compound these problems -- but that
21 underscores the very reason not to rush the process.
22 If there's not sufficient time for the State Board to
23 assure itself and the public that this charter school
24 is in a position to successfully move its opening up
25 for a year, doesn't that tell you that would be in a

1 rush; we're rushing it.

2 Finally, and I hesitate to say it but I'm going
3 to say it anyway, there's a perception that the
4 Little Rock School District has become the punching
5 bag for the state. Whether or not it's your intent,
6 it's certainly the perception that exists in my
7 community. And, of course, I was on the Board; I
8 voted for State takeover.

9 So I ask that you vote to review the Panel's
10 decision to allow the Friendship Aspire charter to
11 open one year early and follow the process that
12 specifies timeframes for charter approval and
13 commencement. There are reasons for the timeframes;
14 they give all parties an opportunity to plan and
15 prepare. The decision that ends up rushing this
16 process undermines the rationale behind them. And
17 thank you very much.

18 CHAIRMAN BARTH: Thank you, Mr. Ledbetter.

19 All right. We've heard public comment. Now
20 it's time for our own comment in advance of a motion.
21 Any comments?

22 MS. CHAMBERS: I certainly appreciate all the
23 perspectives that we've heard. I start off by saying
24 I certainly -- I respect the Charter Authorizing
25 Panel but I admit I have questions about -- whether

1 there are rules or not, this timeline seems so
2 compressed and they must have taken that into
3 consideration. But in terms of again signaling, I
4 think we need to review it. I think when we review
5 it that sends -- all the things that we've been
6 talking about timeline are further compressed. So it
7 definitely sends a message I think to families and to
8 the community that the school very possibly may not
9 open. And so I want to be very thoughtful about what
10 it means to vote for a review, even if we were to do
11 one quickly with a special meeting. I don't -- I
12 have concerns about the school being able to gear up
13 fast enough; that's one issue. But I also want --
14 back to Little Rock and what's fair, they are in a
15 position given how late this is occurring and their
16 own staffing and the expenses associated with that --
17 and, again, I'm assuming that the Charter Panel took
18 all this into consideration. But I'd also longer-
19 term -- and we've talked about this before, but this
20 certainly puts -- underscores we continue to see
21 compression in Little Rock. And I do think we need a
22 broader thoughtful plan about -- I love the rigor
23 that we bring to individual charter review, but I
24 think it's really time, given how many charters are
25 in the district now, that we're looking at a more

1 comprehensive plan about where students are, where
2 the allocation of dollars are going, so that as we
3 approve these very thoughtful and good charter
4 applications it's in context of where the money and
5 the students and the families are.

6 CHAIRMAN BARTH: Any other comments?

7 MS. REITH: No, I concur with everything that
8 Ms. Chambers so eloquently said. And to say that
9 where -- as much as I was ready to step away from
10 this board, if this board wanted to do a special
11 meeting I would -- even I would show up. No, but I
12 also for the gravity of the situation -- and please
13 know I'm sensitive and obviously know the effort that
14 you all have put into thinking about your recruiting
15 process, as well as the district -- this needs to get
16 resolved sooner versus later. So I do think it's
17 incumbent on us that -- personally, I'm ready, if Ms.
18 Chambers isn't, for a motion for review. But I do
19 think we need to already set a date so that everyone
20 feels confident, and I do think we need to think
21 sooner versus later, so --

22 MS. ZOOK: I think --

23 CHAIRMAN BARTH: Ms. Zook.

24 MS. ZOOK: -- also we need to -- even if we hear
25 it tomorrow, we need to be sure that if we do vote to

1 review that we give them very specific things to
2 address, because you can't just, you know, hope --
3 you know, I had several questions that were not
4 addressed at the Charter Panel meeting. And I guess
5 with my experience with charters that -- from a great
6 organization, KIPP, when they opened quickly in
7 Forest City and a charter that opened quickly in West
8 Little Rock, and we saw that without the right staff
9 and with the right principal and the short notice
10 that those did not go well until the second and third
11 year. And for all transparency, I did vote against a
12 two-year out approval at the time because I think we
13 needed to see if they could do what they promised.
14 And so for that reason I guess I'm signaling the way
15 I'm leaning. But I do think if we're going to review
16 we need to do it very quickly, in all fairness to all
17 concerned.

18 CHAIRMAN BARTH: Okay. Well said. All right.
19 If there are no further comments, I would entertain a
20 motion.

21 MS. CHAMBERS: I move to review.

22 MS. REITH: Second.

23 CHAIRMAN BARTH: Motion to review by Ms.
24 Chambers, second by Ms. Reith.

25 Why don't we do a quick roll-call on this.

1 COMMISSIONER KEY: Okay. Ms. Reith.

2 MS. REITH: Yes.

3 COMMISSIONER KEY: Ms. Zook.

4 MS. ZOOK: Yes.

5 COMMISSIONER KEY: Ms. Chambers.

6 MS. CHAMBERS: Yes.

7 COMMISSIONER KEY: Dr. Hill.

8 DR. HILL: Yes.

9 COMMISSIONER KEY: Ms. Newton.

10 MS. NEWTON: Yes.

11 COMMISSIONER KEY: Mr. Black.

12 MR. BLACK: Yes.

13 COMMISSIONER KEY: Six yea's.

14 CHAIRMAN BARTH: Okay. All right. Our -- just
15 to -- who has our meetings law on their mind? Ms.
16 Davis, do you -- can you tell us what our
17 requirements are in terms of public notice in advance
18 of a meeting?

19 MS. DAVIS: I believe for a special board
20 meeting it's two hours notice that we would have to
21 give. So, I mean, we could stay till midnight but,
22 you know --

23 CHAIRMAN BARTH: Yeah, I think --

24 MS. DAVIS: But I believe it's a two-hour notice
25 that you have to give for --

1 CHAIRMAN BARTH: Okay.

2 MS. ZOOK: Do we have --

3 COMMISSIONER KEY: If I could suggest
4 identifying the specific questions and then Dr. Boyd
5 taking those questions, getting with the respective
6 parties and asking them when is the earliest they
7 could be ready. And if that is tomorrow, then that's
8 an option; if it's not tomorrow, then they can tell
9 us what is workable for them. And if -- with your
10 permission to do that --

11 CHAIRMAN BARTH: Okay. All right. Are folks
12 ready or do you need a little time to pull those
13 issues together?

14 Okay. Ms. Reith, questions that you would like
15 responses to?

16 MS. REITH: No, I'd like some more information
17 from actually the Little Rock School District in
18 regards to the specific implications in regards to
19 staffing, allocation of students, plans that you have
20 made in this regards.

21 CHAIRMAN BARTH: Ms. Zook.

22 MS. ZOOK: I have a list if they want --

23 CHAIRMAN BARTH: Yeah.

24 MS. ZOOK: -- somebody to help me or take notes.

25 In the Charter Panel meeting they did a

1 comparison, which did not show Little Rock in a
2 favorable light, with old information but the only
3 information that was available at that time, for 16-
4 17 scores, and they -- for the 3rd through 5th grade.
5 And they're only going to open kindergarten and 1st,
6 so I'd like to see the comparison of the kindergarten
7 and 1st scores to the Little Rock School District.

8 I'd also like to know what their plans are with
9 regard to special education, as far as occupational
10 therapy, physical therapy, speech therapy, aids,
11 those kinds of things, and if they have people who
12 are trained and up and ready to be their dyslexia
13 specialists; if they have PD planned where they can
14 do it this summer in the science of reading; will
15 they immediately provide transportation; what about
16 the meal service, will there be an in-house
17 lunchroom. And how wide -- if they're providing
18 transportation, how wide a circle -- I noticed they
19 had made points about the families they have
20 contacted; I want to know if that's families just
21 within the Little Rock School District or if it gets
22 into Pulaski County, Bryant, Benton, North Little
23 Rock, and the parents who may already be in other
24 charters. And also on the budgeting, because we're
25 just -- the Charter Panel, which we agree has -- is

1 closing Rockbridge for about the same number of
2 students that this school is saying they're going to
3 serve, and they are closing because they said they
4 could not be financially viable. I did notice in the
5 paperwork we were given that the Walton Family
6 Foundation is going to loan or give them a million-
7 two, which, you know, obviously would be very
8 helpful. But I'd like to know if that's a one-year
9 thing, a loan, or several-year thing.

10 I think that's all.

11 CHAIRMAN BARTH: I'll add to actually a little
12 more specificity on the budgeting piece in terms of
13 assuming a student body that's -- at several size
14 levels, half what was expected, maybe three-fourths,
15 and then the expected amount in terms of budget, I'd
16 like a little more specificity about building
17 timelines in terms of exactly when they can expect to
18 be able to not just -- to be in preparation within
19 the building, because I know it's not yet complete.
20 But when could they actually begin to move desks in
21 and things that would get the building I place.
22 Similar to Ms. Zook's questions about special
23 education, I would add similar questions related to
24 English Language Learners and preparation for those
25 students. And then, finally, I would really like an

1 articulation of why the shift away from southwest
2 Little Rock, which was such an important part of the
3 original proposal; how is -- how does this location
4 meet that original mission and if not, why the change
5 in commitment to a neighborhood.

6 MR. BLACK: I too would just like for you to
7 give us the basic information that we've lined out
8 for you, and we'll reach a decision from that as soon
9 as we can.

10 MS. DAVIS: Thank you.

11 MS. CHAMBERS: I think it's inherent for these
12 more detailed questions, but I would like to hear
13 back even from the Charter Panel in terms of process,
14 why -- other than the fact that a facility became
15 available, why did we think at this late-date this
16 was going to be a good approach in terms of the
17 approval process.

18 MS. ZOOK: I think they addressed that in the
19 why they voted the way they did. Did you need more
20 than that?

21 MS. CHAMBERS: It just seems like such a short
22 timeframe to start up a school.

23 MS. DAVIS: We typically have not had members of
24 the Charter Panel come and testify before you, so
25 that's why you have the documents that they have

1 notated how they have voted. There's also the
2 transcript that we can email out to you, so that way
3 you may see questions that were asked and what was,
4 you know, said back. There's also the live-stream
5 video, in your spare time if you'd like to watch
6 that. But we typically have not had those members
7 come before you. And I will say also that, you know,
8 not all of those members are even Department
9 employees and so we can't necessarily compel them to
10 come here, and so we typically have not had them do
11 that. But you do have a Google doc, you know, that
12 should state their reasons for why they felt that
13 opening a year earlier was sufficient.

14 MS. CHAMBERS: Do we have any specific dates in
15 terms of -- we have so many dates and deadlines, and
16 for very good reasons, back-off schedules. Are there
17 any dates we try to adhere to relative to when a
18 school is given approval to open --

19 MS. ZOOK: Yes.

20 MS. CHAMBERS: -- prior to? And what are --
21 those are the dates I'm looking for because, again,
22 this seems late, just practically, even if there
23 isn't anything in law.

24 MS. DAVIS: Sure. We don't necessarily -- I
25 mean, you know, our Charter Panel hears applications

1 on a certain cycle that we feel gives the schools
2 time to set them up. I believe this one, the
3 amendment, because the Charter Panel and by your vote
4 of choosing not to review their original application
5 you have felt that there is sufficiency in their
6 application to begin with. And if I remember
7 correctly, but it's been a year -- but if I remember
8 correctly, the application was partially approved and
9 they made the decision to have a one-year planning,
10 which we can allow them to do, even though it doesn't
11 extend their contract, because those students in the
12 southwest Little Rock area were already being served
13 by the approval of another charter. But because that
14 charter had decided fairly recently -- I don't
15 remember what the date was, but fairly recently to no
16 longer serve those children they decided to go ahead
17 so that way those children would be served. So, you
18 know, they kind of -- they made the decision to wait
19 to allow the other charter but since that one is not
20 there, they're choosing to come back for that.

21 MS. ZOOK: But to answer what I think she's
22 asking is, yes, October/November is the calendar time
23 for charter approval.

24 MS. DAVIS: Right.

25 MS. ZOOK: Not June and May.

1 MS. DAVIS: That's right.

2 COMMISSIONER KEY: Dig a little deeper though on
3 why this is different, because it's an amendment.

4 MS. DAVIS: That's correct.

5 COMMISSIONER KEY: And the amendment process for
6 charters does not follow the same date requirements
7 --

8 MS. DAVIS: Right.

9 COMMISSIONER KEY: -- as the original approval
10 of a charter.

11 MS. DAVIS: Right. I mean --

12 MS. CHAMBERS: And that helps.

13 COMMISSIONER KEY: Okay.

14 MS. DAVIS: -- you approved Osceola's amendment
15 that they had at this same time. So there are lots
16 of amendments. There was Polk County who had a
17 location change and things of that nature. So the
18 amendments do happen throughout the year and they
19 don't follow the same schedule. But, again, that
20 application had already been approved based on the
21 sufficiency of that application.

22 MS. CHAMBERS: That just helps explain how we
23 got here. Thank you. I don't have any other
24 questions.

25 CHAIRMAN BARTH: Dr. Hill?

1 DR. HILL: Did I hear her ask about the budget
2 for the Little Rock School District, how that would
3 -- did you --

4 MS. ZOOK: Yes.

5 DR. HILL: That's the -- okay, I thought -- that
6 was what I wanted to make sure, what -- the planning
7 that went into that the superintendent had planned
8 for and how that would be affected.

9 CHAIRMAN BARTH: Ms. Newton?

10 MS. NEWTON: Ms. Zook and Dr. Barth got most of
11 my questions. I just had one more; it was on staff
12 and personnel. I would like more specifics, but not
13 just numbers of staff that are hired but specifics on
14 their qualifications, are any of them going to need
15 waivers; you know, what specifically is the
16 background of teachers, okay, and staff.

17 DR. BOYD: From Friendship?

18 MS. NEWTON: Yes.

19 DR. BOYD: Okay. I can tell you in the
20 application they did request a waiver from teacher
21 licensure.

22 MS. NEWTON: Okay. But could I get it --

23 DR. BOYD: Absolutely.

24 MS. NEWTON: -- on the ones that they've
25 actually hired. Yeah.

1 CHAIRMAN BARTH: Ms. Cochran?

2 MS. COCHRAN: No.

3 CHAIRMAN BARTH: Okay. All right. Anything
4 else anybody has thought of? Okay, that's a good
5 list. Okay.

6 Okay, Commissioner.

7 COMMISSIONER KEY: And, Ms. Davis, clarify for
8 me the scope of the review. I'm just -- since we
9 don't do this often and it's still relatively new, is
10 it limited to the questions that they've asked today
11 or is -- or can it be broader? And I would -- I'm
12 just wanting to make sure that we ask that and answer
13 that while everyone is here so that there won't be
14 any confusion at whatever time the special meeting
15 occurs.

16 MS. DAVIS: Sure. So the amendment that you
17 have voted to review will be heard as if the Charter
18 Panel had not heard it already and made a decision.
19 So while you have made the suggestions of additional
20 information that you would like to see in order to
21 make a decision, they can bring additional
22 information. I wouldn't advise them not to address
23 your questions but they could choose to do so, much
24 like any other amendment. It would be as if the
25 Charter Panel decision had not been made, so you can

1 ask other things. But I would caution you that
2 because this one is -- it is different a little bit
3 that the scope is limited to the amendment to allow
4 them to operate earlier, not to operate at all
5 because you have already approved for them to
6 operate. So I would just be -- I can see that it can
7 get muddled a little bit. So it would just be to
8 approve the amendment to open earlier.

9 COMMISSIONER KEY: Thank you.

10 MS. ZOOK: Ms. -- Dr. Boyd, could you also --
11 this won't be a need for you to walk. Could you also
12 let us know the number of openings in kindergarten
13 and 1st grade from the other charters in case we have
14 parents who choose to go to charter? And if they
15 don't go to charter, they will either home-school or
16 private school or -- so do we have openings in
17 kindergarten and 1st grade in other charters.

18 DR. BOYD: Yes, ma'am.

19 MS. ZOOK: Thank you.

20 CHAIRMAN BARTH: All right. Okay. So we will
21 -- hopefully before we leave today or by tomorrow
22 we'll figure out some possible dates for that.
23 Again, the procedure, just so we get our mind around
24 how long to expect for that meeting, it is typically
25 a 20-minute presentation by the proposer of the

1 amendment, 20 minutes from opposition -- 20 minutes
2 of opposition, and then 5 minutes --

3 MS. DAVIS: Rebuttal time, yes.

4 CHAIRMAN BARTH: -- rebuttal time for each; so
5 about an hour of debate.

6 MS. DAVIS: And discussion and then public
7 comment.

8 CHAIRMAN BARTH: Right. Okay. So a couple of
9 hours at a minimum that we would need to set aside.
10 Okay. All right.

11 Okay. Thank you, Mr. Harris and everybody else
12 from -- and thank you, Mr. Poore and others who made
13 public comment. We appreciate your engagement today.

14 (d) ROCKBRIDGE MONTESSORI SCHOOL

15 CHAIRMAN BARTH: Okay. We are now up to our
16 final consideration of Charter Authorizing Panel
17 action, and that is on the Rockbridge Montessori
18 School. And this is also different; we have not done
19 one of these in a good while.

20 DR. BOYD: The procedure is the same. The Panel
21 voted to revoke the charter of Rockbridge Montessori
22 School with a unanimous vote on May 16th. There have
23 been no requests for formal review. You may exercise
24 your right to review this decision. We do have a
25 representative from Rockbridge present should you

1 have questions.

2 CHAIRMAN BARTH: Okay. And so if you could just
3 clarify that; so, and is it -- so we have a
4 Rockbridge representative here. They could request,
5 up to now, to review; right? I mean --

6 DR. BOYD: That's correct.

7 CHAIRMAN BARTH: Okay.

8 DR. BOYD: I will say we've been working closely
9 with Rockbridge on closure procedures.

10 CHAIRMAN BARTH: Okay.

11 DR. BOYD: It doesn't appear that a request for
12 review will materialize.

13 CHAIRMAN BARTH: Okay. All right.

14 Okay. Any questions or comments on this?

15 Okay.

16 MS. ZOOK: I move not to review.

17 MS. REITH: Second.

18 CHAIRMAN BARTH: Okay. Motion by Ms. Zook,
19 second by Ms. Reith.

20 All those in favor say "aye."

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRMAN BARTH: Opposed, same sign.

23 And I just want to say to you, you've put a lot
24 of hours into this. I know it is -- it's been a
25 challenge, and we're cognizant of that and appreciate

1 it and appreciate your always good nature when --
2 over the last six months as we've had lots of tough
3 conversations. And so I want to voice that on behalf
4 of the Board. I know this is not an easy day for you
5 and others at Rockbridge, but I think we all know
6 it's the right thing to do.

7 MS. ZOOK: And anybody will be lucky to get you,
8 so just stand around and you'll be getting job offers
9 all over everywhere. And I do truly believe had you
10 been there from the beginning that this school would
11 have succeeded.

12 MR. FELTON: Thank you. Appreciate it.

13 CHAIRMAN BARTH: All right. Okay.

14 B-5: CONSIDERATION OF THE RECOMMENDATION TO APPROVE THE FORMAT
15 FOR THE 2018 EDUCATOR PREPARATION PROVIDER QUALITY REPORT
16 (EPPQR)

17 CHAIRMAN BARTH: Next up is a totally different
18 issue. These are the format for the 2018 Educator
19 Preparation Provider Quality Reports.

20 MR. SERVEDIO: Good afternoon, Dr. Barth,
21 Commissioner Key, Members of the Board. Frank
22 Servedio, Office of Educator Effectiveness and
23 Licensure. And I'm here to ask for your review and
24 approval of the format for the Educator Preparation
25 Provider Quality Reports, Quality Report for 2018.

1 These reports, we've done -- I think since 2014 we've
2 been providing these annual reports for Educator
3 Preparation Providers. They include a lot of
4 demographic and statistical information about various
5 aspects of Educator Preparation. This year we have
6 added a couple of sections to the report due to the
7 fact that we are over the course of the next year
8 going to expand the report to the point where they
9 will be rating and qualifying the institutions, the
10 preparation providers. So over the course of the
11 next year we're going to convene a committee who is
12 going to actually establish what the factors will be
13 to establish what is considered a quality preparation
14 program. But in advance of that, we are simply
15 reporting on all of the different factors, as you see
16 in the Table of Contents of the report in front of
17 you. The three new sections are how the preparation
18 programs address shortage areas, what are they doing
19 about minority recruitment and enhancing the number
20 of minority teachers in the state, and what about the
21 -- what are they doing with regard to partnerships
22 with school districts. Those are the textual
23 sections of the report. And on the statewide report,
24 those will simply be summaries of what all of the
25 institutions said. And then, of course, in addition

1 to the statewide report, which I believe you saw --
2 or see, you have a copy of, we also have an
3 individual report for each institution. And as I
4 said, we've been doing this for the last few years.
5 The previous reports are on the ADE website, as will
6 this be.

7 So, if you have any questions -- it's basically
8 a matter of you approving the format and the content
9 of what the report actually will contain --

10 MS. ZOOK: I was --

11 MR. SERVEDIO: -- or does contain.

12 CHAIRMAN BARTH: Ms. Zook.

13 MS. ZOOK: Yeah. I was there when we requested
14 that it be expanded this way, because I think it is
15 -- we want to be transparent. And if we have teacher
16 prep programs where there's a percentage of students
17 who aren't passing the Praxis then we need to know
18 that, because a student may decide, well, I'll go to
19 this college because I'm going to major in that and
20 they'll have me better prepared.

21 I noticed that it was listed as a prep program
22 at eSTEM. What kind of prep do they do at eSTEM?

23 MR. SERVEDIO: Yes. Actually, that is a new --
24 I don't want to say relatively new, but it's a brand-
25 new educator preparation program which --

1 Is Joan in the room? Joan, could you address
2 that?

3 Honestly, I would defer to Joan Luneau who is
4 our educator preparation unit director, and she would
5 know a lot more about eSTEM than I would.

6 MS. ZOOK: Okay.

7 MS. LUNEAU: Good afternoon. Joan Luneau,
8 coordinator of Educator Preparation. The eSTEM
9 residency program is in about its fifth year
10 actually, and it's a small program but it's a true
11 residency program; it's a three-year program. The
12 first year of the program they are working alongside
13 a cooperating teacher, not as Teacher of Record; in
14 year two and three they're under a provisional
15 license working as the Teacher of Record.

16 MS. ZOOK: Okay.

17 CHAIRMAN BARTH: You learn something every day,
18 don't you?

19 MS. ZOOK: I learn something new every day.

20 And when you see places like Crowley's Ridge and
21 ASU and Harding and Southern Arkansas University and
22 Williams Baptist who have such low pass rates in
23 certain areas, is -- do we call this attention to
24 Higher Ed.? How can that be addressed? Does Dr.
25 Owoh meet with the deans? What is the process for

1 helping them understand our level of concern?

2 MS. LUNEAU: That's what the goal of the next
3 year is as we make these quality reports.

4 MS. ZOOK: Thank you. I appreciate the report.

5 CHAIRMAN BARTH: Do you have a comment?

6 COMMISSIONER KEY: I just want to point out, if
7 y'all look on the first -- let's see -- it'll be page
8 3, look under the 2017-18 column of beginning
9 teacher, it's the highest number in a decade.

10 MS. ZOOK: Yes.

11 COMMISSIONER KEY: And I hope Cynthia's recorder
12 is still going because -- and the other reporter that
13 was here, you know, will miss out on this unless he's
14 got a recorder in here too. But we're making
15 progress, folks, and we can sit around and we -- a
16 lot of times all we, you know, seem focused on is the
17 negative. But that is huge.

18 MS. ZOOK: Yes, it is.

19 COMMISSIONER KEY: And it's a testament to, as I
20 mentioned, you know, earlier in my remarks about Ms.
21 Cochran; you know, there are voices out there really
22 propping up the teaching profession and the Teachers
23 of the Year over the last several years, our team at
24 the Department, the work that Joan is doing and the
25 team with Higher Ed.

1 We're making progress and this just emphasizes
2 and reaffirms what -- you know, my theory that over
3 the next three to five years some of these waivers
4 that our schools are having to bring to us are not
5 going to be needed, because we're going to start
6 filling these gaps.

7 So, Dr. Frank, great report.

8 DR. SERVEDIO: Thank you.

9 COMMISSIONER KEY: And, you know, these
10 retention numbers, I think they're going to keep
11 going up. The initial beginning teacher numbers are
12 going to keep going up. And the reports, like this,
13 are going to help us because it gives us better data
14 to go back to our partners and say here's what's
15 working, here's what's not, how can we get better.

16 So, thank you.

17 MR. SERVEDIO: Thank you. And as an aside I
18 would like to point out on that point, earlier this
19 week we were in Minneapolis for the annual NASTEC --
20 National Association of State Teacher Education
21 Certification directors. And they were talking about
22 national trends with regard to retention and they are
23 still touting the 50% loss of teachers after five
24 years. And as you see in Arkansas's data, we're
25 doing much better than the national average.

1 CHAIRMAN BARTH: Great.

2 Dr. Owoh.

3 DR. OWOH: Just another highlight. During our
4 co-op tours Great Rivers Educational Co-op -- and I'm
5 sure Commissioner Key probably would've loved to
6 share this great information -- but they had a 94%
7 retention rate of novice -- their novice teachers.
8 And so we definitely appreciate the efforts that they
9 have in place and that they will continue to raise
10 that percentage of retaining their novice teachers.

11 CHAIRMAN BARTH: All right. So if there are no
12 other comments, then I would entertain a motion to
13 accept this report.

14 MS. CHAMBERS: Move to accept this report.

15 DR. HILL: Second.

16 CHAIRMAN BARTH: Okay. All those in favor say
17 "aye."

18 Motion by Ms. Chambers, second by Dr. Hill.

19 All those in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed, same sign.

22 Sharon, I'm sorry. I'm fading a little bit on
23 my motion gathering.

24 MR. SERVEDIO: Thank y'all very much.

25 CHAIRMAN BARTH: All right. Great. Thank you.

1 MS. LUNEAU: Thank you.

2 B-6: PRAXIS COMPUTER SCIENCE (5651) ASSESSMENT FOR 4-12
3 COMPUTER SCIENCE LICENSURE

4 CHAIRMAN BARTH: All right. Now we do go to Ms.
5 Luneau, and we are down to some Praxis scores.

6 MS. LUNEAU: Right. Joan Luneau, coordinator of
7 Educator Preparation here at the ADE. And I've got
8 the next three items on the agenda, and these are
9 licensure assessment changes for the upcoming
10 academic year. The first one is a newly-generated
11 Praxis computer science test.

12 Y'all may remember that we implemented a
13 computer science test back in spring of 2015, and we
14 were using a test that we borrowed from Texas. It
15 has taken a few years to get a new one created, and
16 so that one has been created and it's a Praxis
17 computer science; 5652 is the number. We met with a
18 group of Ed. Prep providers and school district
19 personnel, and the Owen Group in April reviewed the
20 test. We've revised our competencies to align with
21 the test and the current standards. Normally we wait
22 a year before we adopt a new test, but we feel like
23 we want to go ahead and adopt this one this year as
24 it more aligns to what we're doing.

25 One other additional note is that we had folks

1 that were working towards preparing for this
2 assessment. So ETS has added another testing window
3 in August to allow them to test with the current test
4 if they so choose.

5 So our recommendation is to allow Educator Prep
6 Programs the opportunity to align with the programs
7 of study and then to meet the changes that ETS is
8 making in September. The Department proposes a cut
9 score of minus-1 SEM, which is 142, and a start-date
10 of September 2018.

11 CHAIRMAN BARTH: Okay. Any questions about this
12 new test? Anyone over here?

13 Ms. Zook.

14 MS. ZOOK: Usually mastery for a student is
15 considered 85%. Do we believe that a teacher who
16 doesn't get 85% on the Praxis can in fact have enough
17 mastery to be able to convey and teach the student
18 what they know?

19 MS. LUNEAU: Well, these tests aren't on that
20 percent correct; they're on a scaled score, and so we
21 don't look at them like that. What we do is we go
22 with the national cut score, and sometimes we do go
23 below that, and that's why we're doing this in this
24 case. A year from now we'll review our cut score and
25 we may go back up to the nationally recommended.

1 MS. ZOOK: Okay. Thank you.

2 CHAIRMAN BARTH: That was actually my question.
3 When will we review the -- especially with a new test
4 I know it's important to kind of recalibrate
5 regularly, so --

6 MS. LUNEAU: We never like to lower a cut score,
7 and so that's why this will give our Ed. Prep
8 programs -- we have three now in the state -- a year
9 to realign their programs. Most of ours who have
10 licensed have done that through testing out or
11 through our nontraditional pathways.

12 CHAIRMAN BARTH: Okay.

13 MS. LUNEAU: And I will say we do have 143
14 licensed computer science teachers now with the work
15 we've done.

16 CHAIRMAN BARTH: Okay. Thank you.

17 I'd like to entertain a motion.

18 MS. REITH: I move to approve the recommendation
19 of the Department.

20 MS. ZOOK: Second.

21 CHAIRMAN BARTH: Motion by Ms. Reith, second by
22 Ms. Zook.

23 All those in favor say "aye."

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN BARTH: Opposed, same sign.

1 B-7: PRAXIS FUNDAMENTAL SUBJECTS: CONTENT KNOWLEDGE (5511) FOR
2 POST-SECONDARY ADULT EDUCATION LICENSURE

3 CHAIRMAN BARTH: All right. Next up, Post-
4 Secondary Adult Education Licensure.

5 MS. LUNEAU: Okay. Again, Joan Luneau,
6 coordinator of Educator Preparation here at the
7 Department. This change is for adult education
8 license; it's post-secondary. We have -- in the past
9 we didn't have a test available for a license area;
10 we used a current PLT. We've been meeting with
11 Career Ed., and will continue to meet with them, to
12 revise competencies. But we also reviewed tests and
13 we feel like the fundamental subjects test is better
14 aligned to what Adult Ed. teachers do in the
15 classroom. And so we are moving to adopt the
16 Fundamental Subjects Praxis 5511 with a cut score of
17 148 to be adopted for the Adult Ed. license. And
18 remember, that will be for add-on license. If their
19 first time licensed, they would also take the PLT
20 which is aligned with all of our other licensure
21 areas.

22 CHAIRMAN BARTH: Any questions over here?
23 Over here?

24 I'd entertain a motion.

25 MS. REITH: I move to adopt the recommendation

1 of the Department.

2 MR. BLACK: Second.

3 CHAIRMAN BARTH: All right. Motion by Ms.
4 Reith, second by Mr. Black.

5 All those in favor say "aye."

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN BARTH: Opposed, same sign.

8 Excellent.

9 B-8: SCHOOL LEADERS LICENSURE ASSESSMENT (SLLA) FOR P-12
10 BUILDING LEVEL ADMINISTRATOR AND P-12 CURRICULUM ROGRAM
11 ADMINISTRATOR LICENSURE

12 CHAIRMAN BARTH: And, finally, the Administrator
13 scores, licensure scores.

14 MS. LUNEAU: Okay. Joan Luneau, coordinator of
15 Educator Preparation. And this is for the School
16 Leaders Licensure Assessment that has been
17 regenerated. It is Praxis 6990. With this one we
18 are going to wait the extra year and not adopt it
19 till September of 2019, again to allow our leadership
20 prep programs, which are undergoing major revisions
21 with an overhaul of the competencies, a year to align
22 to that. But I just wanted to bring it to the Board
23 to get it approved so they can start working towards
24 that. And so the recommendation is to adopt the
25 School Leaders Licensure Assessment with the

1 nationally recommended cut score of 151, effective
2 September 1, 2019.

3 CHAIRMAN BARTH: Okay. Ms. Cochran?

4 MS. COCHRAN: Is that comparable to the previous
5 cut score, I mean, the difficulty level? Because I
6 know we have way more certified principals in the
7 state.

8 MS. LUNEAU: You can't compare one test to
9 another, you know, from the regeneration. So that's
10 just what the panel recommended, the national level.
11 But, again, we could come back and review that, you
12 know, once we get some scores.

13 MS. COCHRAN: Thank you.

14 CHAIRMAN BARTH: Any other questions?

15 MS. ZOOK: Yeah.

16 CHAIRMAN BARTH: Ms. Zook.

17 MS. ZOOK: The score -- the test -- when I was
18 licensed we didn't have all of these Praxis things;
19 we had the national teacher exam, which had little or
20 nothing to do with anything I ever did as a teacher.
21 So do these tests more accurately measure what in
22 fact the teacher and/or administrator is going to
23 need to do?

24 MS. LUNEAU: I think the way we've moved to
25 competency-based with our Ed. Prep programs they do,

1 because we align to national standards. We make sure
2 we have a test aligned to the same standards.

3 MS. ZOOK: Well, good.

4 MS. LUNEAU: We're working that way.

5 CHAIRMAN BARTH: All right. I'd entertain a
6 motion.

7 MS. REITH: I'd move to adopt the recommendation
8 of the Department.

9 MS. CHAMBERS: Second.

10 CHAIRMAN BARTH: All right. Motion by Ms.
11 Reith, second by Ms. Chambers.

12 All those in favor say "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Opposed, same sign.

15 All right. Thank you.

16 MS. LUNEAU: Thank you. I'll be back.

17 CHAIRPERSON BARTH: Okay. Great.

18 B-9: CONSIDERATION FOR FINAL APPROVAL: REPEAL OF RULES
19 GOVERNING MANDATORY ATTENDANCE FOR STUDENTS IN GRADES 9-12

20 CHAIRMAN BARTH: Okay. We now move to the
21 repeal of the mandatory attendance rule.

22 MS. DAVIS: Hi.

23 CHAIRMAN BARTH: Hi, Ms. Davis.

24 MS. DAVIS: Should I introduce myself or are we
25 familiar?

1 CHAIRMAN BARTH: We know who you are.

2 MS. DAVIS: So the rules that you have before
3 you, the repeal of the mandatory attendance rules,
4 these rules have been approved by the Governor as a
5 repeal. And they did go out for public comment; we
6 received no public comments on them. The law that
7 these rules are based on had been repealed anyways.
8 There was one line in here that ended up being
9 applicable that we have moved to the new standards,
10 which you have approved. And it's also in law too,
11 so even for whatever reason that still has to be
12 followed by school districts. So if you don't have
13 any objections -- if you have any questions, I'll be
14 able to answer them. But we do ask that you give
15 final approval to these rules.

16 CHAIRMAN BARTH: Ms. Zook.

17 MS. ZOOK: Yeah. So this is covered in like the
18 new law. We're not saying kids don't have to go to
19 school a certain number of minutes, are we?

20 MS. DAVIS: No. Okay. So these rules -- and I
21 did get a question, not in a public comment, about
22 these. These rules don't have anything to do with
23 like compensatory attendance, and it doesn't have
24 anything to do with that. These had to do with like
25 9th to 12th graders who are having to take classes

1 all day long when they really only needed one credit.
2 And so you were getting waivers of these all the time
3 for kids, so that way they could go take classes at
4 the college level or the vo-tech or something of that
5 nature. And so that law had been repealed saying
6 that they had to be on campus for so many hours a
7 day, taking classes that they may or may not need.

8 MS. ZOOK: And I understand that. I just -- the
9 more I think about that and think about a young
10 person who doesn't have the maturity of most adults
11 to make a decision, they may or may not want to take
12 an elective because it doesn't interest them and
13 they'd rather go to work or they'd rather do this or
14 that. It bothers me that that keeps them from being
15 exposed to things that they might in fact benefit
16 from. I know they would benefit from it but they
17 also might discover a talent or an interest that they
18 didn't have otherwise, particularly most of the
19 district that I represent. We're very rural and
20 without being exposed at school then, you know, they
21 don't know what is out there; they just know what
22 their neighbor's daddy does and what their mom does.
23 And it bothers me every time we give districts
24 permission to say, "Well, they just need English so
25 they can go to first period and then go do whatever."

1 But I know that's not your issue.

2 MS. DAVIS: Right.

3 MS. ZOOK: But that's something that bears on my
4 mind a lot.

5 MS. DAVIS: I will say just as a side note to
6 that because the law that these rules were based on
7 was repealed we also have -- really have no statutory
8 authority to implement rules. So if we were going to
9 have to do that or put something else in there, it
10 would have to be somewhere else in which we've been
11 given the statutory authority to do so.

12 MS. ZOOK: Right. Right. I get it.

13 CHAIRMAN BARTH: Commissioner, did you want to
14 --

15 COMMISSIONER KEY: Well, yeah, because I think
16 -- I can't not bring up this isn't -- we're not
17 giving them permission to say you only come take
18 English and then you can go home. I mean, what we
19 did this was in -- why we did this was in response to
20 this waiver; it was the largest -- the most requested
21 waiver from districts that were creating flex-mod
22 scheduling, implementing things, where they were
23 trying to create more opportunities rather than limit
24 or reduce the number of opportunities.

25 MS. DAVIS: Right.

1 COMMISSIONER KEY: If -- you know how it works;
2 if the pendulum swings back and we see that schools
3 are not doing the right thing, we'll have to come
4 back. And we've told them that. I mean, we in our
5 communication with superintendents and stakeholders,
6 we said, "Look, it's your responsibility to create
7 these opportunities that aren't necessarily locking
8 you in to so many minutes a day in a classroom,
9 taking roll, all that; it's -- if it is work, it's
10 connected to the learning; if it's activities, they
11 are activities that are connected to the learning.
12 So it's different than it was when -- you know, when
13 I was in school and -- you know, you take English and
14 you go -- you know, go to work. It is different. So
15 --

16 MS. ZOOK: A hardship.

17 COMMISSIONER KEY: Yeah. I mean, it's really
18 about creating those opportunities and creating that
19 flexibility which you are providing through all the
20 waivers that -- and so now I'm -- I'll look at our
21 new high school principal down there and say, "Don't
22 let this get out of hand."

23 MS. DAVIS: And I think that we did have some
24 districts that were requesting this waiver because
25 they had students who maybe had been -- you know,

1 were older than the rest of the students that are in
2 the high school who maybe only needed one credit to
3 graduate. But they also had other obligations and
4 they were just going to -- you know, kind of at that
5 choice of either they could drop out and not get it
6 because they didn't want to have to come to school,
7 you know, six hours a day for one credit when, you
8 know, they are older than the rest of them and needed
9 to maybe work or have a family. And so that was also
10 another thing that helps those students be able to
11 still continue in education and get a high school
12 diploma while maybe going on to college or going to
13 work or something like that.

14 CHAIRMAN BARTH: Ms. Newton?

15 MS. NEWTON: I also think that through our ESSA
16 plans, through the school quality index that we've
17 got some incentives built in for high schools to do
18 the right thing, to -- you know, they're going to be
19 wanting to scramble and get every point they can, and
20 so they're going to take and guide those students to
21 those things that are going to be educationally
22 based. So I think those incentives are going to also
23 help that.

24 CHAIRMAN BARTH: Yeah. Community service and
25 other --

1 MS. NEWTON: Yeah.

2 CHAIRMAN BARTH: All right. You understand the
3 issue.

4 MS. REITH: I move for final approval.

5 DR. HILL: Second.

6 CHAIRMAN BARTH: All right. Motion by Ms.
7 Reith, second by Dr. Hill.

8 All those in favor say "aye."

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRMAN BARTH: Opposed?

11 Okay.

12 MS. DAVIS: Thank you.

13 COMMISSIONER KEY: Dr. Barth --

14 CHAIRMAN BARTH: Yes.

15 COMMISSIONER KEY: -- if I may, before Jennifer
16 leaves, this is her last meeting with us. Jennifer
17 is going to be the first ever Chief Privacy Officer
18 of the State of Arkansas, an opportunity that came up
19 through the Department of Information Systems. And
20 tomorrow is her last day, but she won't be with us
21 tomorrow because she'll be covering for us over at
22 Legislative Council. So I wanted the Board to know
23 that we will miss her, but this is a fantastic
24 opportunity. She has -- she's the only one in the
25 state of Arkansas with the experience that qualified

1 for this position. I think if you look -- I mean,
2 they found the right one: education, former
3 experience with DIS. And we're going to miss her,
4 but Director Jones has got a real winner and we're
5 real proud of you.

6 MS. DAVIS: Thank you.

7 [APPLAUSE]

8 MS. DAVIS: So I was actually really hoping that
9 you would review that charter tomorrow but -- so,
10 thank you.

11 CHAIRMAN BARTH: Thank you, Jennifer.

12 B-10: CONSIDERATION FOR FINAL APPROVAL: ADE RULES GOVERNING
13 ELIGIBILITY AND FINANCIAL INCENTIVES FOR NATIONAL BOARD FOR
14 PROFESSIONAL TEACHING STANDARDS CANDIDACY AND CERTIFICATION

15 CHAIRMAN BARTH: All right. We are now on item
16 11 -- no, item 10; excuse me. This is the National
17 Board for Professional Teaching Standards Candidacy
18 and Certification.

19 MS. FRENO: Good afternoon. Lori Freno,
20 Department of Education. I feel everyone has been
21 doing work today, and I look like I've been sitting
22 there doing nothing; I really have been listening.

23 The National Board Teachers rules, you all gave
24 your final approval to those last month.

25 Unfortunately, the wrong final version of the rules

1 was appended to the appendix last month. And because
2 there have been so many changes made, the wrong
3 version was appended -- and you notice I'm using the
4 passive voice so I don't have to admit who appended
5 the wrong version. But in this agenda we have the
6 correct final version and we respectfully request
7 that the Board modify its action of last meeting and
8 grant its final approval to the rules appended to
9 this agenda in lieu of those presented to the Board
10 in its May meeting.

11 CHAIRMAN BARTH: Okay. Do we need to actively
12 un-do that action?

13 MS. FRENO: According to ADE parliamentarian
14 Mary Claire Hyatt, she said that a modification would
15 be appropriate.

16 CHAIRMAN BARTH: All right.

17 MS. FRENO: A modification would both
18 effectively rescind the last set of rules and it also
19 would give final approval to the set of rules that's
20 attached to this appendix.

21 CHAIRMAN BARTH: Sounds great.

22 MS. NEWTON: I move what she said.

23 CHAIRMAN BARTH: All right. Move --

24 MS. ZOOK: Second.

25 CHAIRMAN BARTH: Motion by Ms. Newton to modify

1 our action last month with the passage of a new set
2 of rules as the final rules, and second by Ms. Zook.

3 All those in favor say "aye."

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRMAN BARTH: Opposed, same sign.

6 Okay.

7 MS. FRENO: Thank you.

8 MS. ZOOK: We're glad you got out of Africa.

9 MS. FRENO: Huh?

10 MS. ZOOK: I said we're glad you came out of
11 Africa.

12 MS. FRENO: Oh, it was pretty wonderful.

13 MS. ZOOK: I bet.

14 B-11: CONSIDERATION FOR FINAL APPROVAL: ADE RULES GOVERNING
15 PARENTAL INVOLVEMENT PLANS AND FAMILY AND COMMUNITY ENGAGEMENT

16 CHAIRMAN BARTH: All right. Item 11, Jennifer
17 Dedman is back with us, and this -- these are the
18 Parental Involvement Plans and Family and Community
19 Engagement.

20 MS. DEDMAN: In a similar move, the wrong set of
21 rules and comments was attached to your agenda, and I
22 have a corrected version here for you.

23 CHAIRMAN BARTH: Okay.

24 (WHEREUPON, B-11 Exhibit One (1) was marked for
25 identification and entered into evidence.)

1 MS. DEDMAN: The State Board released these
2 proposed rules for public comment on April 12th. A
3 public comment hearing was held on April 19th and
4 ended the period on May 15th.

5 As you see, I left off a set of comments to the
6 item that was attached to the Board's agenda packet.
7 There are lots of comments here, but none of the
8 comments received resulted in substantive changes to
9 the proposed rules. And I'll give you a second to
10 review that and the summary at the very end of your
11 packet.

12 [A FEW MOMENTS OF SILENCE]

13 MS. ZOOK: Was this what was sent us in an
14 email? Is this what you sent to correct --

15 MS. DEDMAN: Yes.

16 MS. ZOOK: Okay. So we have already seen it.

17 MS. DEDMAN: Oh, excellent.

18 MS. FORD: No, I think that may have been mine
19 that you sent out.

20 MS. DEDMAN: Then, no. I didn't know that.

21 MS. ZOOK: Yeah.

22 MS. DEDMAN: These should be new. It's -- the
23 ones that you previously saw included comments from
24 Lucas Harder from ASBA. The new comments attached
25 from Jennifer Wells are at the end, and there's

1 others added to the summary.

2 [A FEW MOMENTS OF SILENCE]

3 MS. DEDMAN: I'm available for questions.

4 Department staff respectfully requests that the Board
5 give final approval to these rules.

6 MS. ZOOK: I guess I would need to ask Ms. Reith
7 and Ms. Cochran if these seem to be in line and
8 compliment the work you're trying to get done on
9 community engagement?

10 MS. REITH: No, very much. These I know have
11 been before us before, and I'll just continue to
12 reaffirm very much so.

13 MS. COCHRAN: (nodding head up and down.)

14 MS. ZOOK: Okay.

15 CHAIRMAN BARTH: Are y'all comfortable moving
16 forward?

17 Okay. Then I will -- I'll entertain a motion on
18 these whenever someone is ready.

19 MS. ZOOK: It would be helpful if these -- if
20 you'll go ahead and take the others out and put these
21 in so that when we refer back to meetings that this
22 document will be available. Can that be done?

23 MS. DEDMAN: I think the request is that we
24 replace the items.

25 Can that be done on Boardbook?

1 Yes.

2 MS. ZOOK: Thank you.

3 CHAIRMAN BARTH: Yes, point well taken, Ms.

4 Zook.

5 Okay. Is there a motion?

6 MS. NEWTON: Move to approve.

7 MS. REITH: Second.

8 CHAIRMAN BARTH: All right. If everybody is
9 comfortable, a motion by Ms. Newton, second by Ms.
10 Reith.

11 All those in favor of final approval on these
12 say "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Opposed, same sign.

15 Okay.

16 MS. DEDMAN: Thank you.

17 CHAIRMAN BARTH: Thank you, Ms. Dedman.

18 B-12: CONSIDERATION FOR FINAL APPROVAL: ADE RULES GOVERNING
19 THE ARKANSAS EDUCATIONAL SUPPORT AND ACCOUNTABILITY ACT

20 CHAIRMAN BARTH: That moves us, Ms. Salas-Ford,
21 another set of rules and these are Act 930 related.

22 MS. SALAS-FORD: Yes. The ADE rules governing
23 the Arkansas Educational Support and Accountability
24 Act were approved by you all on April 12th. They
25 went out for public comment and we did received

1 public comments, made a few changes as indicated on
2 the summary provided to you; none of those were
3 substantive. And so we are seeking final approval.

4 As, Ms. Zook, you pointed out, yes, the ADE
5 public comments and responses were omitted originally
6 from the Board materials, as well as the summary.
7 And so those were provided to you by Ms. Hollis on
8 Monday, I believe.

9 CHAIRMAN BARTH: Okay. I would entertain a
10 motion for final approval on these rules.

11 MS. REITH: I move for final approval.

12 MR. BLACK: And I second.

13 CHAIRMAN BARTH: Motion by Ms. Reith, second by
14 Mr. Black.

15 All those in favor say "aye."

16 (UNANIMOUS CHORUS OF AYES)

17 CHAIRMAN BARTH: Opposed, same sign.

18 All right.

19 MS. SALAS-FORD: Thank you.

20 CHAIRMAN BARTH: Great. Thank you.

21 B-13: CONSIDERATION OF PROPOSED RULES REPEALS

22 CHAIRMAN BARTH: And now we are back to -- now
23 we're on some rule repeals. Ms. Freno. And then
24 I'll tell you my game plan on these.

25 MS. FRENO: Okay. Thank you. Lori Freno,

1 Department of Education. As I mentioned to you all
2 last month, you know, we're going to have the
3 opportunity as an agency, as are all agencies in the
4 state, to repeal kind of as a chunk any rules that we
5 do not feel are necessary any longer. So we went
6 through all of the rules that we could find, ADE
7 rules, and made determinations as to which of them
8 are no longer needed, you know, those which laws have
9 been repealed, those which procedures have changed,
10 some of which kind of got incorporated into other
11 rules along the way. And we are presenting this list
12 to you and these are the rules that we propose that
13 we submit to the General Assembly Subcommittee and
14 ask that they be -- they all be repealed. And if you
15 have any questions, Courtney, Jennifer and I will be
16 happy to answer them.

17 CHAIRMAN BARTH: Okay. I think what makes the
18 most sense, if folks have -- if we could get a list
19 of those about which folks have questions, I think
20 that will help organize the conversation.

21 So does anybody have questions on particular
22 rule repeals?

23 Okay. I had a question -- I had questions on
24 the closing the achievement gap rule and the Board
25 subpoena rules. Those are my two.

1 Anybody else? Any others?

2 Okay. On the board subpoena, this is -- well,
3 now I'm trying to find it. Did it get pulled?

4 MS. FRENO: What is -- the Board subpoena, there
5 might've been something related to the Board subpoena
6 in the new standard operating procedures.

7 CHAIRMAN BARTH: Okay. Issue subpoenas by SBE.

8 MS. FRENO: Oh, here it is. Okay.

9 CHAIRMAN BARTH: So this is -- Ms. Davis, you're
10 not gone yet.

11 MS. DAVIS: No, I never -- how about that.

12 CHAIRMAN BARTH: So my question -- so the
13 subpoena power is recognized in the operating
14 procedures. My concern was whether the operating
15 procedures which do not have -- have not gone through
16 the rule-making process -- will not go through --
17 don't go through the rule-making process, is that
18 sufficient procedural direction if this board were to
19 ever issue a subpoena? Or do we need those rules
20 that were in place to justify that power?

21 MS. DAVIS: Well, the rules are an exact
22 replication of the law, so you already have been
23 given the power in the law, and that's why it's being
24 incorporated into the operating procedures. But the
25 rule didn't add anything to it so there was just no

1 sense in having a rule that was just going to repeat
2 the law.

3 CHAIRMAN BARTH: Okay. All right.

4 MS. DAVIS: So you already have the power given
5 by law to do so.

6 CHAIRMAN BARTH: Okay. And the law remains in
7 place, and so --

8 MS. DAVIS: That's correct.

9 CHAIRMAN BARTH: Okay. Okay. And then on the
10 closing the achievement gap, this is -- yeah, Ms.
11 Salas-Ford --

12 MS. SALAS-FORD: Yes.

13 CHAIRMAN BARTH: So could you talk a little bit
14 about that, I mean, in terms of -- these were the --
15 was this the state closing the achievement gap,
16 commission, or are these the individual schools
17 closing the achieving gap, bodies, those that are at
18 the district level?

19 MS. SALAS-FORD: I apologize; I did not bring a
20 copy with me.

21 CHAIRMAN BARTH: I had trouble finding it too.
22 And so I was -- I know we have a state body on
23 closing the achievement gap, but then there are also
24 individual district bodies --

25 MS. SALAS-FORD: Yeah. And if I recall

1 correctly -- and I can verify this quickly, but this
2 was the schools that had to be identified by No Child
3 Left Behind and, of course, the requirements, both on
4 the state and on those schools. And as is indicated
5 with the passage of ESSA, which essentially made NCLB
6 obsolete, we're not required to do any of those
7 things under -- that were delineated in the rules.

8 CHAIRMAN BARTH: Okay.

9 MS. SALAS-FORD: If that makes sense.

10 CHAIRMAN BARTH: And so --

11 MS. SALAS-FORD: But I can check real quick.

12 CHAIRMAN BARTH: Okay. I mean, I would have --
13 I just didn't know where we were on the state
14 commission on closing the achieving gap that -- which
15 we'd get reports. And it's been -- I think there's
16 been a lot of frustration by that group, but I just
17 wanted -- I was just curious where we were on that
18 and what this was doing to the achievement gap issue.

19 MS. SALAS-FORD: I apologize again; I don't know
20 that.

21 CHAIRMAN BARTH: Okay.

22 MS. SALAS-FORD: But I will be happy to find out
23 and report back to you.

24 CHAIRMAN BARTH: Okay. I think I'm fine with it
25 because it's a No Child Left Behind remnant. But I

1 just -- that was my only other one that I had some --
2 wanted some clarification on.

3 MS. SALAS-FORD: Okay.

4 CHAIRMAN BARTH: Does anybody else have
5 questions, concerns?

6 Okay. I'm fine with the subpoena; I'm satisfied
7 on that one.

8 So the proper motion would be to repeal the --

9 MS. FRENO: I would say to approve the list of
10 rules that ADE will present to the General Assembly.

11 CHAIRMAN BARTH: All right. Perfect.

12 So you have a list before you. The motion is to
13 approve that list for the ADE to take forward to the
14 appropriate body at the General Assembly.

15 MS. CHAMBERS: And so this is taking forward the
16 rules that stay or the rules that are repealed?

17 CHAIRMAN BARTH: The repeal rules.

18 MS. CHAMBERS: Okay.

19 CHAIRMAN BARTH: These are the ones that go;
20 right?

21 MS. FRENO: Yes, these are the ones that are
22 going to be repealed. Now we also have a report --
23 we're going to do a big, huge report that's going to
24 have all of our rules in it. Now the ones we're
25 keeping, those will also have to be submitted. But

1 we do not have to get your authority because they're
2 already in place. But because only you have the
3 authority to repeal a rule or to give final approval
4 of a rule we have to get your approval on the rules
5 that we want to repeal.

6 MS. CHAMBERS: Okay.

7 CHAIRMAN BARTH: Is everybody clear?

8 MS. ZOOK: So moved.

9 CHAIRMAN BARTH: All right. Motion by Ms. Zook.

10 MS. CHAMBERS: Second.

11 CHAIRMAN BARTH: Second by Ms. Chambers.

12 All those in favor say "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Opposed, same sign.

15 MS. FRENO: Thank you.

16 CHAIRMAN BARTH: Thank you.

17 B-14: CONSIDERATION OF FINAL ACCREDITATION REPORT FISCAL YEAR
18 2017-2018: SUMMARY OF ACCREDITATION FOR ARKANSAS PUBLIC SCHOOLS
19 AND SCHOOL DISTRICTS

20 CHAIRMAN BARTH: And then next up, Mr. Causbie;
21 these are the final accreditation reports. And, of
22 course, we've had one change on this already.

23 MR. CAUSBIE: Yes. Roy Causbie, former program
24 manager of Standards for Accreditation -- and
25 Commissioner Key kind of mentioned that earlier and I

1 think he's going to go over that tomorrow -- now
2 program manager for what we call Standards and
3 Systems Support. We have combined School Improvement
4 and Standards for Accreditation together.

5 Today we're asking you to approve the final
6 accreditation report for the 17-18 school year. And
7 I've just been advised the change that we had at
8 Osceola is already in place.

9 CHAIRMAN BARTH: Okay. But the rest of the list
10 is as presented?

11 MR. CAUSBIE: Yes.

12 CHAIRMAN BARTH: Okay. Ms. Newton.

13 MS. NEWTON: I just had a question, because I
14 didn't hear a reason. Could you tell me why the
15 school that was -- high school and district that was
16 placed on probation was placed on probation? Do you
17 have that information?

18 MR. CAUSBIE: For which --

19 MS. NEWTON: It was Watson Chapel High School --

20 MR. CAUSBIE: Yes.

21 MS. NEWTON: -- and district.

22 MR. CAUSBIE: Yes. Watson Chapel, the high
23 school, they had an assistant principal that had an
24 expired license.

25 MS. NEWTON: Okay. And then did that

1 automatically put the district into probation?

2 MR. CAUSBIE: No, the district is a different
3 issue. The curriculum supervisor did not have their
4 license.

5 MS. NEWTON: So both of them were licensure
6 issues?

7 MR. CAUSBIE: Yes.

8 MS. NEWTON: Okay.

9 CHAIRMAN BARTH: The curriculum supervisor falls
10 under the district personnel. That's why it's on the
11 district list.

12 MS. NEWTON: Okay.

13 CHAIRMAN BARTH: Any other questions?

14 All right. I'd entertain a motion to approve
15 this list.

16 MS. REITH: I move to approve.

17 CHAIRMAN BARTH: All right.

18 MR. BLACK: I second.

19 CHAIRMAN BARTH: All right. Motion by Ms.
20 Reith, second by Mr. Black.

21 All those in favor say "aye."

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRMAN BARTH: Opposed, same sign.

24 And I'll ask you -- I know I ask you every year,
25 but what happens next for those districts that are --

1 after multiple years? Could you talk through process
2 at this point? Or is -- are we -- is this the end of
3 the stage?

4 MR. CAUSBIE: Well, this is the first -- will be
5 a first-year probation. So it was two years
6 probation, then there's a process we go through. But
7 right now the first year probation, they will have to
8 publicize this on their website and newspaper letting
9 their patrons know that they are on probation for
10 this year.

11 CHAIRMAN BARTH: Okay. All right. But we have
12 no schools that come back for a more --

13 MR. CAUSBIE: No. We should --

14 CHAIRMAN BARTH: -- thorough process with us at
15 this point?

16 MR. CAUSBIE: Correct.

17 CHAIRMAN BARTH: Okay.

18 MR. CAUSBIE: And I know y'all have had a long
19 day, but I appreciate my team. They do a lot of hard
20 work; this is a year-long process. So I just want to
21 let them know publicly they do fantastic work and I
22 appreciate them very much.

23 CHAIRMAN BARTH: Thank you.

24 MR. CAUSBIE: Thank you.

25 CHAIRMAN BARTH: All right.

1 B-15: REVISION TO THE INSTITUTIONS OF HIGHER EDUCATION:
2 PROTOCOLS FOR THE REVIEW AND APPROVAL OF PROGRAMS OF STUDY
3 LEADING TO EDUCATOR LICENSURE IN ARKANSAS

4 CHAIRMAN BARTH: Okay. Ms. Luneau is back, and
5 these are educator licensure program protocols.

6 MS. LUNEAU: Joan Luneau, coordinator of
7 Educator Preparation. And these are the policies or
8 the protocols that govern program approval for ed.
9 prep programs at higher ed. institutions. Y'all have
10 already approved these a few times. We started
11 bringing them to the Board last year when we repealed
12 our ed. prep policies and rolled some of that into
13 the licensure rules. As you flip through there,
14 you'll notice that everything that was changed was
15 highlighted in yellow. There were three big items
16 that were changed. One of the first things we did
17 was we changed the language to add Science of Reading
18 to match the pathways that Learning Services have
19 just recently defined. And so we wanted to insure
20 that our prep programs were aligned to what our PD
21 was doing in the school districts. So, that's one
22 change.

23 Another change, we're changing some of the
24 language in the partnership section to match
25 accreditation and adding to that -- the third one was

1 adding language for our leadership prep programs that
2 are about to go -- undergo redesign. And so that
3 work was done with a working group of Higher Ed.
4 representatives.

5 So if you have any questions about any items
6 I'll be glad to answer them.

7 CHAIRMAN BARTH: All right. Any questions about
8 these protocols?

9 Okay. I would entertain a motion to approve.

10 MS. CHAMBERS: Move to approve.

11 MS. REITH: Second.

12 CHAIRMAN BARTH: Motion by Ms. Chambers, second
13 by Ms. Reith.

14 All in favor say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Opposed, same sign.

17 All right. Thank you.

18 MS. LUNEAU: Thank you very much.

19 B-16: CONSIDERATION FOR APPROVAL: PROPOSED AMENDMENTS TO THE
20 STATE BOARD OPERATING PROCEDURES

21 CHAIRMAN BARTH: All right. And last two items.
22 Ms. Hyatt, our operating -- revisions to our
23 operating procedures which we discussed last month.

24 MS. HYATT: Thank you, Dr. Barth. Mary Claire
25 Hyatt with the Department. On the consideration for

1 approval of the proposed amendments to the State
2 Board operating procedures, these are the amendments
3 that we discussed at the work session after the board
4 meeting last month. If approved, they will take
5 effect on July 1, 2018, and it needs to pass by
6 three-fourths vote.

7 CHAIRMAN BARTH: Okay. Of those --

8 MS. HYATT: Of those here and voting.

9 CHAIRMAN BARTH: Okay. Great.

10 All right. I think we've walked through all of
11 these, but if folks see last-minute changes they
12 would like to make --

13 I will therefore entertain a motion, but we
14 probably do need to do a roll-call on this one just
15 to be sure we have the proper majority.

16 MS. ZOOK: And this is exactly as it was
17 presented at the work session?

18 MS. HYATT: The only thing that I changed is
19 that I had a typo that Ouida pointed out and I
20 changed the typo. Thank you, by the way.

21 MS. NEWTON: You're welcome.

22 CHAIRMAN BARTH: Okay.

23 MS. NEWTON: Move to approve.

24 DR. HILL: Second.

25 CHAIRMAN BARTH: Motion by Ms. Newton, second by

1 Dr. Hill.

2 And, Commissioner, if you'll give us a roll-
3 call.

4 COMMISSIONER KEY: Ms. Reith.

5 MS. REITH: Yes.

6 COMMISSIONER KEY: Ms. Zook.

7 MS. ZOOK: Yes.

8 COMMISSIONER KEY: Ms. Chambers.

9 MS. CHAMBERS: Yes.

10 COMMISSIONER KEY: Dr. Hill.

11 DR. HILL: Yes.

12 COMMISSIONER KEY: Ms. Newton.

13 MS. NEWTON: Yes.

14 COMMISSIONER KEY: Mr. Black.

15 MR. BLACK: Yes.

16 COMMISSIONER KEY: Six yea's.

17 CHAIRMAN BARTH: All right. Thank you very much
18 for your hard work on that.

19 MS. HYATT: Absolutely.

20 CHAIRMAN BARTH: And hopefully it will smooth
21 some things out --

22 MS. HYATT: Thank you.

23 CHAIRMAN BARTH: -- starting next month.

24 B-17: ELECTION OF CHAIR AND VICE-CHAIR

25 CHAIRMAN BARTH: Okay. Next up, election of

1 chair and vice-chair. And, Ms. Chambers, you are
2 representing the committee.

3 MS. CHAMBERS: In summary, I have the privilege
4 of being asked to chair a nominating committee that
5 met in April and put forward unanimously -- oh, and
6 the nominating committee, to be clear, is Ms. Reith
7 and Mr. Williamson and myself -- put forward a
8 nomination recommendation for Dr. Barth to be chair
9 for the year 2018-19 and Charisse Dean, Ms. Charisse
10 Dean to be his vice-chair. They both accepted, which
11 was put forward then in May and that nomination was
12 accepted by the Board.

13 And so procedurally today my understanding is
14 that we will take a vote. I don't know what the
15 protocol is, but I would open to the Board -- are
16 there any questions or is there any discussion?

17 So I would assume, given that the nomination has
18 come forward and already been accepted by the Board,
19 all we need to do is vote.

20 Hearing no further discussion, all in favor of
21 this fine set of leaders for 18-19 please say yes.

22 (UNANIMOUS CHORUS OF YESES)

23 MS. CHAMBERS: Are there any nays?

24 We would like to congratulate our new chair and
25 vice-chair and thank you for taking us forward.

1 CHAIRMAN BARTH: Yeah. Thank you. Thank you
2 again for your confidence.

3 [APPLAUSE]

4 CHAIRMAN BARTH: And Ms. Dean we realized in the
5 middle of the day had already told us she was not
6 going to be here today. She is at a family wedding,
7 and I know she is watching. But I appreciate the
8 confidence you've shown in me and appreciate the
9 opportunity to work with most of you moving forward.

10 MISC. MATTERS

11 CHAIRMAN BARTH: And I also know that tomorrow
12 we will begin talking about the year ahead and our --
13 and different liaison roles, taskforces and other
14 things. And so that will be part of our work
15 tomorrow.

16 We had a really long day today. We've got a
17 shorter day tomorrow as a result of the cancelation
18 of the work session. It appears the work session is
19 canceled. And we will begin to talk right now about
20 when might be a time for a special meeting. So I
21 will see y'all at dinner, if there is a motion to
22 adjourn.

23 MS. ZOOK: I move to adjourn.

24 Could we talk about when we want to meet before
25 we leave?

1 MS. REITH: For the special meeting?

2 MS. ZOOK: Because some of them aren't going to
3 be here at the dinner and some aren't going to be
4 here tomorrow.

5 CHAIRMAN BARTH: Okay.

6 COMMISSIONER KEY: So maybe -- we probably need
7 to do that before we adjourn.

8 CHAIRMAN BARTH: Okay. Let's talk about that
9 before we adjourn.

10 (COURT REPORTER'S NOTE: A discussion was held
11 among the Board about available dates for a special
12 board meeting. It was tentatively scheduled for
13 Friday, June 22, 2018, at 8 a.m. This discussion may
14 be heard on the ADE website.)

15 CHAIRMAN BARTH: All right. I think we are
16 ready to adjourn.

17 MR. BLACK: So moved.

18 MS. CHAMBERS: Second.

19 CHAIRMAN BARTH: All right. Motion by Mr.
20 Black, second by Ms. Chambers.

21 All in favor say "aye."

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRMAN BARTH: Opposed, same sign.

24 Thank y'all very much.

25 The meeting was adjourned at 5:26 p.m.)

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A-4: JASON BOLICK

ADE EXHIBITS 1-8

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A-4: JASON BOLICK
EDUCATOR'S EXHIBIT 1

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A-7: GILBERT FAMILY

EXHIBITS 1-2

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B-1(C): OSCEOLA SCHOOL DISTRICT

EXHIBIT 1

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B-4(C): FRIENDSHIP ASPIRE ACADEMY

EXHIBITS 1-2

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B-11: PARENTAL INVOLVEMENT RULES

EXHIBIT 1

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas State Department of Education, State Board of Education, in Little Rock, Arkansas, on June 14, 2018, that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to this action.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: June 26, 2018.

SHARON K. HILL, CCR
Certified Court Reporter
Certificate No. 670

	36:21;42:23;81:24; 93:1;107:14;115:20; 127:4;130:11;140:1; 154:18;156:1; 158:11;163:25; 167:3,24;173:12; 179:18;197:17; 203:14;207:10	41:10;42:4;214:19, 23	192:10;198:2;209:8	16
\$		accountable (3)	add (17)	adjourned (1)
\$1100 (1)		41:13;127:5; 131:16	47:8;51:25;52:9; 59:5,22;73:11;84:17; 87:3,4,9;107:25; 114:2;152:3;179:11, 23;217:25;225:17	231:25
37:13		accreditation (12)	added (4)	adjustments (1)
\$1500 (1)		103:9;148:7,9,17, 23;221:17,18,21,24; 222:4,6;225:25	16:24;190:6;197:2; 213:1	171:13
112:20		accrues (1)	addict (2)	Administration (3)
\$2500 (1)	above (2)	145:8	32:8;43:12	54:22;63:21;95:24
112:21	9:8;132:24	accurately (1)	addicted (1)	ADMINISTRATOR (4)
\$3 (1)	absolute (4)	201:21	39:23	200:10,11,12; 201:22
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\$41 (1)	absolutely (5)	56:22;111:21; 216:24;218:10,15,23; 219:18	28:10,16,24;32:19; 39:20;43:20;46:5	104:8;127:6
155:20	15:19;109:3;145:1; 184:23;228:19	achieving (2)	adding (2)	admire (1)
\$44,000 (1)	abundant (1)	218:17;219:14	225:25;226:1	49:10
137:22	28:2	acknowledge (1)	addition (6)	admit (2)
\$45,000 (1)	academic (9)	46:5	59:18,19;77:23; 78:1;88:17;190:25	172:25;210:4
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\$5 (1)	Academy (24)	97:23	14:14,21,25;21:3; 57:8,11,16;59:15,16; 60:10;61:13;62:20, 21;66:25;67:8,12,13; 79:23;80:2,5;83:2, 16;84:4,5,6,11,25; 87:17;88:20;94:5,8, 9;95:10;107:19; 110:3;112:21;120:6; 185:19,21;196:25	196:22,23;199:15, 25;200:18,24;202:7
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17:19	Academy-Little (1)	6:4,8;100:7; 187:17;210:7,12; 211:1	148:15	60:1,1;199:17
	151:8	actions (4)	add-on (1)	ads (1)
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	160:10	active (1)	address (13)	ADULT (5)
	accept (10)	56:10	10:7;45:7;61:4; 64:20;107:3;123:4, 16;133:12;149:20; 175:2;185:22; 190:18;192:1	199:2,4,7,14,17
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